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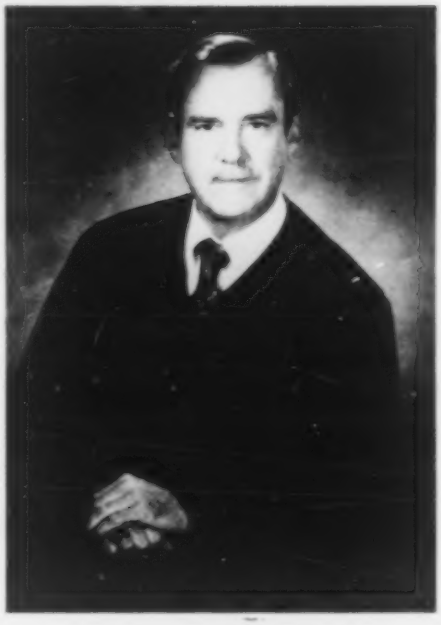
STATE OF RHODE ISLAND

REPORT ON THE JUDICIARY

1988

TO THE HONORABLE MEMBERS OF THE GENERAL ASSEMBLY



This year has marked my second full year as chief justice, and I am pleased to report to you on the numerous initiatives that have been undertaken. Like many other jurisdictions, the Rhode Island courts are being asked to respond to ever increasing demands, both due to expansion in the role of courts and to a flood of cases on the criminal side. Superior Court alone experienced a 56% increase in felony filings during 1988, and a substantial portion of that increase has been due to an influx of drug related cases. In response, the court has sought and received a $700,000 federal grant for a Comprehensive Adjudication of Drug Arrestees Project (CADA). This court led program involved the departments of Attorney General, Health, Corrections, Mental Health and local police, and has as its goal the more effective and efficient disposition of all felony cases.

Another initiative has been the establishment of the Victim Restitution Unit, directed by a newly created Special Master. The program operates in Superior Court, and its purpose is to enforce the payment of court ordered fines, fees, costs and restitution. Rhode Island was fortunate in also receiving a $100,000 grant to implement this concept.

A high priority this past year has been the development of programs to remove certain types of cases from the trial track and dispose of them by alternative methods. These types of programs using arbitration, mediation and other informal methods of dispute resolution are being used by courts throughout the country to combat rising caseloads. In 1988 legislation was passed authorizing a court-annexed arbitration program in Superior Court. The program is slated to begin by the summer of 1989, and it will use attorneys as arbitrators. The Family Court has also initiated a mediation program this past year which has shown promising results.

Along with the effort to combat increasing caseloads, the court has continued its commitment to improve services to victims of crime. The court has received special funding from the General Assembly to establish two programs to assist victims. One is Project Victim Services, which aids victims by informing them of their legal rights and all court dates. The other is the Domestic Violence Prevention Program, which assigns advocates to the Family and District Courts to support victims and help them through the criminal and civil court process. Both of these programs link victims with other community agencies and programs that can provide them with additional service.

As I have stated, some of the programs that have been described have in large part been made possible by grant funding. It is incumbent on the legislative body to see the merits of continuing these excellent initiatives by making the necessary budgetary appropriations. This financial commitment must also include provisions for the housing of court related support activities and the renovation and replacement of existing courthouses. It is important that numerous functions, such as the Office of the Disciplinary Counsel and the new arbitration program, be properly accommodated and centrally located to provide the best possible service to lay and professional users.

Sincerely,

Thomas F. Fay

Thomas F. Fay
Chief Justice, Supreme Court

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This report covers calendar year 1988

Pursuant to Chapter 8-15 of the Rhode Island General Laws as amended by Chapter 247 of the 1975 Public Laws, this report was prepared by the:

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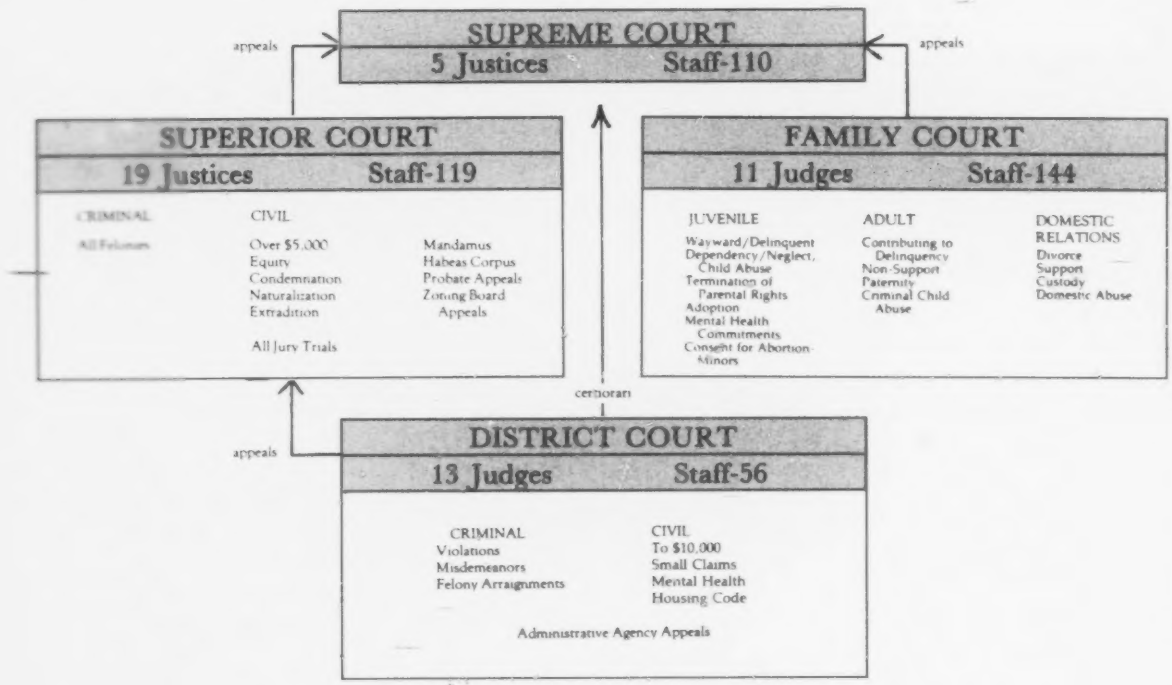
RHODE ISLAND COURT STRUCTURE

Rhode Island has a unified court system composed of four statewide courts: the District and Family Courts are trial courts of special jurisdiction, the Superior Court is the general trial court, and the Supreme Court is the court of review.

The entire system in Rhode Island is state-funded with the exception of probate courts, which are the responsibility of cities and towns, and the municipal courts, which are local courts of limited jurisdiction. The Chief Justice of the Supreme Court is the executive head of the state court system and has authority over the judicial budget. The Chief Justice appoints a state court administrator and an administrative staff to handle budgetary and general administrative functions. Each court has responsibility over its own operations and has a chief judge who appoints an administrator to handle internal court management.



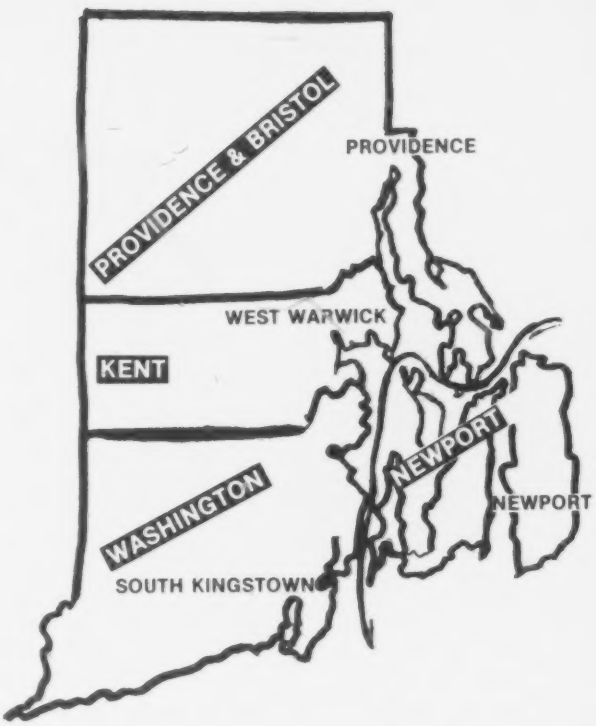
Staffing and jurisdictional organization of the Rhode Island Courts.

SUPREME COURT

The Supreme Court has final advisory and appellate jurisdiction on questions of law and equity, and it also has supervisory powers over the other state courts. In addition, the Supreme Court has general advisory responsibility to both the Legislative and Executive brances of the state government concerning the constitutionality of legislation. Another responsibility of the Supreme Court is the regulation of admission to the Bar and the discipline of its members.

The Chief Justice of the Supreme Court also serves as the executive head of the state court system. The Chief Justice appoints the State Court Administrator and the staff of the Administrative Office of the State Courts. This office performs personnel, fiscal, and purchasing functions for the state court system. In addition, the Administrative Office serves a wide range of management functions, including the development and operation of automated information systems for all courts; long-range planning; the collection, analysis, and reporting of information on court caseloads and operations; the development and implementation of management improvement projects in specified areas; and the supervision of facilities.

The State Law Library is also under the direction of the Supreme Court. The library's primary function is to provide reference materials and research services for the judges and staff of the courts. However, it also serves the general community as the only comprehensive law library in the state.



Map of the State of Rhode Island showing the Superior and Family Courts

SUPERIOR COURT

The Superior Court is the trial court of general jurisdiction. Civil matters concerning claims in excess of $5,000 and all equity proceedings are heard in this court. The Superior Court also has original jurisdiction over all crimes and offenses except as otherwise provided by law, and thus all indictments by grand juries and informations charged by the Department of Attorney General are returned there. The Superior Court has appellate jurisdiction from decisions of local probate and municipal courts. Also, except as specifically provided by statute, criminal and civil cases tried in the District Court are brought to the Superior Court on appeal for a trial de novo. In addition, there are numerous appeals and statutory proceedings, such as redevelopment, land condemnation cases, zoning appeals, and enforcement of arbitrators' awards, which are under the jurisdiction of the Superior Court. The Superior Court also has concurrent jurisdiction with the Supreme Court over writs of habeas corpus, mandamus, and certain other prerogative writs. Appeals from the Superior Court are heard by the Supreme Court.

FAMILY COURT

The Family Court was created to focus special attention on individual and social problems concerning families and children. Consequently, its goals are to assist, protect, and if possible, restore families whose unity or well-being is being threatened. This court is also charged with assuring that children within its jurisdiction receive the care, guidance, and control conducive to their welfare and the best interests of the state. Additionally, if children are removed from the control of their parents, the court seeks to secure for them care equivalent to that which their parents should have given them.

Reflecting these specific goals, the Family Court has jurisdiction to hear and determine all petitions for divorce and any motions in conjunction with divorce proceedings, such as motions relating to the distribution of

property, alimony, support, and the custody of children. It also hears petitions for separate maintenance, and complaints regarding support for parents and children. The Family Court also has jurisdiction over those matters relating to delinquent, wayward, dependent, neglected, abused or mentally defective or mentally disordered children. It also has jurisdiction over adoptions, child marriages, paternity proceedings, and a number of other matters involving domestic relations and juveniles.

Appeals from decisions of the Family Court are taken directly to the state Supreme Court.

DISTRICT COURT

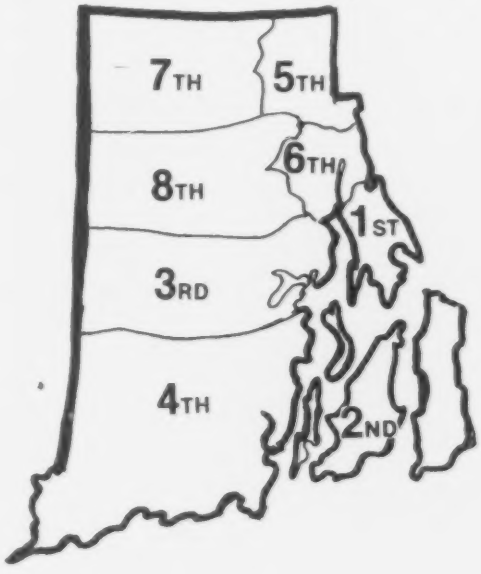
Most people who come before courts in this state have contact initially with the District Court. Thus, the District Court has been divided into eight divisions to give the people of the state easy geographic access to the court system.

The jurisdiction of the District Court includes small claims that can be brought without a lawyer for amounts under $1,500 and actions at law concerning between $5,000 and $10,000 with transfer to the Superior Court available upon demand of either party. This court also has jurisdiction over violations of municipal ordinances or regulations.

The District Court also has original jurisdiction over all misdemeanors where the right to a jury trial in the first instance has been waived. If a defendant invokes the right to a jury trial, the case is transferred to the Superior Court.

Unlike many limited jurisdiction courts, the Rhode Island District Court does not handle traffic violations, except for a very few of the most serious offenses.

Appeals from District Court decisions in both civil and criminal cases go to the Superior Court for trial de novo. In actual practice, this right to a new trial is seldom used, and District Court dispositions are final in 96.7% of all criminal cases and 98.5% of all civil cases. An additional category of minor offense, called violations, was created by the Legislature in 1976. Decisions of the District Court on violation cases are final and subject to review on writ of certiorari to the Supreme Court.



Map of the State of Rhode Island showing the Divisions of the District Court

Since October 1976, the District Court has had jurisdiction over hearings on involuntary hospitalization under the mental health, drug abuse, and alcoholism laws. The District Court also has jurisdiction to hear appeals from the adjudicatory decisions of the state tax administrator and several regulatory agencies and boards. The court also has the power to order compliance with the subpoenas and rulings of the same agencies and boards. In 1977 this court's jurisdiction was again increased to include violations of state and local housing codes. District Court decisions in all these matters are only subject to review by the Supreme Court.

1988 IN THE RHODE ISLAND COURTS
JUDICIAL BUDGET COMPARISON

As the state moves toward its first 2 billion dollar budget, the allocation to the Judiciary has remained relatively constant. The F.Y. 1989 judicial budget of $27.6 million represents only 1.49% of the total state financial program and only 0.1% more than the courts' share in 1985. In fiscal years 1988 and 1989 the judicial branch has received budget increases totalling almost 5.9 million dollars. However, because escalating civil and criminal filings have persisted, the courts' resources have continued to be stretched to the limit.

The figures below compare the growth of the judicial budget to the state budget over the last five fiscal years.

	FY 85	FY 86	FY 87	FY 88*	FY 89*
STATE BUDGET	1,341,554,517	1,435,709,612	1,530,983,417	1,736,958,431	1,848,388,415
Increase	99,723,350	94,155,095	95,273,805	205,975,014	111,429,984
JUDICIAL BUDGET	18,773,562	19,787,183	21,703,180	24,508,564	27,634,615
Increase	1,732,308	1,013,621	1,915,997	2,805,384	3,126,051
JUDICIAL SHARE	1.39%	1.38%	1.42%	1.41%	1.49%

*Figures represent budget program — previous years are actual expenditures.

1988 ANNUAL REPORT OF
THE VIOLENT CRIMES INDEMNITY FUND

(Pursuant to RIGL §12-25-11 as amended by Public Law 1988, Chapter 129)

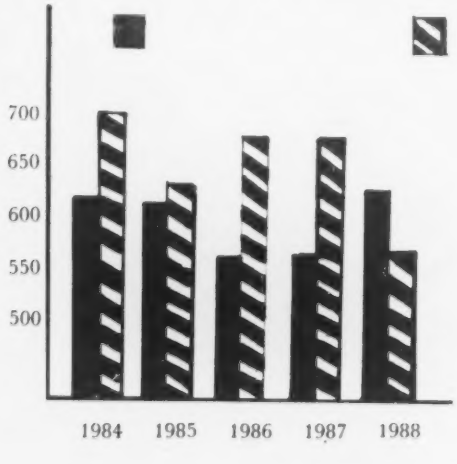
Fund balance as of January 1, 1988	$111,083.27
Amount of payments ordered to be paid to the fund during the year	$1,163,380.00
Funds collected during the year (includes $277,000-Federal VOCA grant)	$1,218,784.95
Number of claims filed during the year	251
Number of claims adjudicated during the year	95
Number of claims awarded	80
Number of claims denied	15
Funds disbursed during the year	$1,314,134.53

SUPREME COURT

COURT FURTHER REDUCES APPEAL TIME

The results for 1988 show that the Supreme Court has maintained its status as one of the most current appellate courts in the country, if not the most current, by making further gains in reducing the time to disposition for cases on appeal. Five years ago the average time from docketing to disposition for a Supreme Court case was 14.1 months, a year ago the average time was down to 10.9 months, and this year it has dropped again to 8.4 months. In addition, 50% of the cases disposed this year were handled in less than six months, and 72% were handled within twelve months. This compares to 1984 when the rate disposed was 39% within six months and 57% within twelve months.

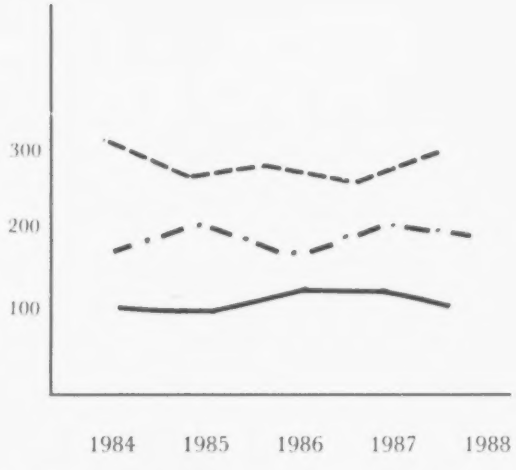
CASES DOCKETED VS. CASES DISPOSED



The results also show that appeals have increased this year. The total number docketed for 1988 was 618, which marks the first time since 1984 that new appeals have climbed above 600. The appeal rate compared to last year has gone up by 11% or 63 cases. However, it should be noted that part of the increase is a one-time occurrence due to the court's decision to review its previous "public duty doctrine". Twenty-five new filings this year have been identified as public duty doctrine cases.

CHANGE IN DOCKETED CASES

_____ criminal; - - - civil; __ . __ certiorari



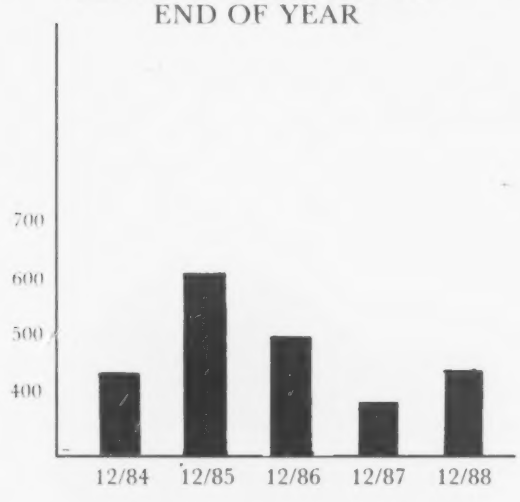
This is a partial explanation for the increase in appeals in the civil category. This year civil appeals totaled 295 as compared to 228 a year ago. Civil appeals from Superior Court increased by 39 cases or 19%, and Family Court appeals rose by 27 cases. The number from the Family Court (51) was more than double what it was a year ago (24).

Another category which increased was petitions for writs of habeas corpus. The number of petitions filed (27) was also almost double last year's total (14).

The two other major categories, criminal appeals and petitions for certiorari, had slightly lower filings than in 1987. Criminal appeals totalled 110 last year, and this year the number dropped to 98. The difference was due to a drop in juvenile rather than adult criminal appeals. Likewise petitions for certiorari totalled 174 a year ago, and this year the number was down to 168.

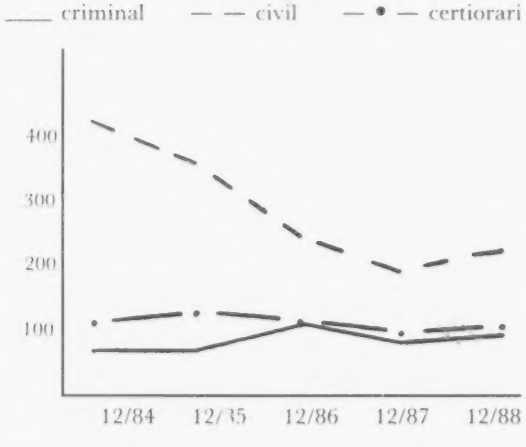
The court disposed of 558 cases during the year, which was a lower number than in the recent past. The reason for the drop is that the court has eliminated any backlog and is now dealing only with current cases. As an example, at the end of the year there were only 29 cases awaiting show cause hearing and only 66 cases which were fully briefed and ready for argument; all of these cases will be heard within the next three months.

PENDING CASELOAD AT END OF YEAR



At the same time, because of the rise in appeals and a decline in the number of cases disposed, the pending caseload has grown. As of December 31, there were 426 appeals pending, which was 61 more cases than a year ago.

PENDING CASELOAD BY TYPE OF CASE



This increase has been fairly evenly distributed among the major case categories. Pending civil appeals went up this year by 35 cases from 194 to 229, petitions for cert increased from 88 to 98, and pending criminal appeals rose from 70 to 79.

Despite a higher number of pending appeals, the overall results for the year show the continued positive effect of the rules establishing the pre-briefing conference and show cause calendar. Approximately 73% of the cases disposed this year were handled prior to full briefing and argument.

JUDICIARY ESTABLISHES GOALS FOR UPCOMING YEAR

Early in the year the Chief Justice sent a questionnaire to judges, the administrators of each court, public defenders, attorneys in the Department of Attorney General, and members of the Bench Bar Committees. The purpose was to get feedback from as broad a group as possible on the important issues confronting the courts. The questionnaire results were then used to develop a plan of action for the Judiciary in 1989-1990.

The plan includes seven major goals. These are long term goals for the system and remain the same from year to year. The goals were adopted by the Advisory Board in 1987 and are as follows:

1. To improve the quality of justice;
2. To reduce delays in case processing;
3. To improve the services the courts provide to the public;
4. To increase the public's understanding of the judicial system;
5. To improve the administration of the court system;
6. To improve the professional qualification of all personnel;
7. To maintain the independence of the court system.

Under each goal the plan includes proposed objectives for the year and the tasks which are necessary to achieve these objectives. Some of the new initiatives for next year included in the plan are the establishment of case processing time standards for all types of cases, the implementation of a court-annexed arbitration program in Superior Court, and expansion of the automated criminal case tracking system to all divisions of the District Court.

The plan has to be reviewed and approved by the chief judges of the various courts before it is formally adopted.

COMMITTEE ADDRESSES FUTURE CHALLENGES FOR THE RHODE ISLAND COURTS

Representative Jeffrey Teitz chairs Future of the Courts Committee

Chief Justice Thomas F. Fay appointed the Commission on the Jurisprudence of the Future in 1987 to assist the courts in planning for the challenges of the next century. Representative Jeffrey Teitz, chairman of the House Judiciary Committee, heads the commission, and Dr. William Q. O'Hara, President of Bryant College, serves as the vice chair. The membership of the commission includes representatives from each court, the Executive department, the Legislature and members of the public.

During 1988 the work of the commission focused on three areas. The first was a review of the structure of the courts to determine if there was a need for changes to streamline the processing of cases. As a result of this review the commission recommended increasing the jurisdiction of the District Court. The changes would raise the civil jurisdiction of the District Court to $10,000, eliminate the appeal and transfer of cases from District Court to Superior Court, and authorize the District Court to handle felonies under certain circumstances. Legislation which was introduced to effect these changes did not pass during the 1988 session of the General Assembly, but will be reintroduced.

A second area of focus was the drafting of a proposal for a court-annexed arbitration program in Superior Court. The commission's proposal was submitted to a committee named by the Presiding Justice of Superior Court to draft rules for arbitration.

The third area was the establishment of time standards for the disposition of all types of criminal and civil cases. Chief Justice Fay specifically asked the commission to undertake this project to give each court guidelines for determining the length of time it should take to conclude a case. The commission will also recommend steps to be taken to achieve the proposed standards in those areas where the present processing time for cases is substantially longer than the guideline. The commission plans to complete this project in late 1989.

COURT AWARDED $700,000 GRANT TO SPEED DRUG CASE DISPOSITION

The Bureau of Justice Assistance (BJA) has selected Rhode Island as one of four sites in the nation to receive over $700,000 to develop a coordinated, system-wide approach for the adjudication of drug offenders. The funding was made available under the BJA's Comprehensive Adjudication of Drug Arrestees (CADA) project. Santa Clara, California; Orleans Parish, Louisiana; and Flint, Michigan were the three other sites selected from twenty-five proposals that the BJA initially received.

The CADA project began on August 1, 1988, and will run for fifteen months. The end date is October 31, 1989. The project will operate in Providence/Bristol County which handles 75% of the criminal cases filed in the state. The goals of the CADA project are to reduce the time from initial appearance in District Court to Superior Court arraignment, and to reduce the number of criminal cases pending in Superior Court over 270 days to ten percent (10%) of the total pending criminal case inventory.

Steve King (c), CADA project director tours toxicology lab with staff Bob Miller (l) and Dr. David Uliss (r).

The CADA project is a system-wide undertaking. The grant provides five state agencies and the City of Providence with a total of fourteen new staff positions and $108,000 for new drug analysis equipment, computer equipment, and in-patient drug counseling services. The agencies receiving funding under this project are the Superior and District Courts, the Department of the Attorney General, the Department of Mental Health Retardation and Hospitals (MHRH), the Department of Health, the Department of Corrections and the City of Providence.

The award has allowed the Superior Court to establish an additional judgeship and hire court staff to assist in improving the processing of cases. A prosecutor position and other support staff were financed in the Department of the Attorney General. Funds to MHRH will provide support services and counseling for adjudicated drug defendants. The Department of Health has received money to purchase equipment for the Toxicology Laboratory to expedite the completion of test results on confiscated substances. This department has also received funds to assist the enforcement division in tracking cases it is prosecuting. In addition, the Department of Corrections was awarded a grant for personnel and computer equipment to be used in monitoring the population at the Intake Service Center, and the City of Providence has hired a civilian clerk to assist the police department's Special Investigation Bureau prepare cases for court prosecution.

The BJA has contracted with the Pretrial Services Resource Center of Washington, DC to monitor this project. It is hoped that the coordinated approaches used by the four sites will be a model for other jurisdictions.

DOMESTIC VIOLENCE PREVENTION LEGISLATION PASSED

The 1988 General Assembly passed legislation aimed at preventing incidents of domestic violence. This legislation stresses protection of the victim and communicates the attitude that violent behavior, regardless of the relationship of the parties, is not tolerated by the justice system. This legislation has made Rhode Island a national leader in this area.

The legislation was drafted by the Domestic Violence Task Force appointed by Chief Justice Fay in 1987. The task force is co-chaired by Family Court Associate Justice Pamela M. Macktaz and Warwick State Representative Marion Donnelly. The membership includes representatives from the criminal justice system, elected officials, service providers from the domestic violence prevention network and other concerned citizens.

The task force developed the legislation after evaluating the criminal justice system's response to incidents of domestic violence. This evaluation was done through questionnaires to Family and District Court judges and police chiefs. In addition, the task force held a series of six public hearings throughout the state and heard testimony from community service workers, attorneys, law enforcement personnel and victims.

Domestic violence advocates Marty Gruer (c) and Maureen Lee (r) present information to Chief Judge Albert DeRobbio.

The major provisions in the new law are as follows. The law mandates that when a law enforcement officer has probable cause to believe an assault has taken place, the officer must arrest the primary physical aggressor, regardless of the relationship of the parties or the victim's refusal to file a complaint. Officers are protected from civil liability when an arrest is based on probable cause or the officer enforces a court order in good faith.

The legislation also mandates training for law enforcement officers on issues related to domestic violence. The three police academies in the state must provide eight hours of this training, and police departments must also provide two hours of in service training for their officers on this subject.

This legislation also provided funding for a domestic violence court advocacy unit.

Sheriff Anita Dececco looks on while "victim" is aided through complaint process by Advocate Gruer.

This unit assists victims through the court process and helps individuals obtain restraining orders to protect them from further abuse. The unit began operating in the fall of 1988 with advocates working in the Family and District Courts throughout the state.

The legislation also established a training and monitoring unit. The unit will assist in training law enforcement personnel and compile statistical information from law enforcement and medical agencies on the occurrence of domestic violence incidents in the state.

Other areas covered by the legislation include clarification on the issuance and enforcement of restraining orders, protection for the elderly and minors who are abused by a live-in adult who is not their parent, and mandated counseling for any person who is convicted, placed on probation or pleads nolo contendre to a crime involving domestic violence.

The task force has been monitoring the implementation of the legislation and plans to submit additional legislation and amendments to the 1989 General Assembly.

In addition to drafting legislation, the task force was involved in a joint effort with the Women in the Courts Committee in presenting a day-long judicial seminar. The task force, with the cooperation of the Probation Department, also scheduled educational forums with the staff of that department.

The task force plans to submit a final report to the Chief Justice in 1989. This report will review the work of the task force and present recommendations for continued improvement of the justice system's response to incidents of domestic violence. The task force will also recommend that a committee be named to oversee the impact the various changes will have on the justice system and on the occurrence of incidents of domestic violence in the state.

COMMITTEE NAMED TO ACT ON RECOMMENDATIONS TO ADDRESS GENDER BIAS

One of the principal recommendations in the final report of the Committee on Women in the Courts was that a follow-up committee be named to address issues of gender bias. In late 1987 Chief Justice Fay appointed an advisory committee for this purpose. The committee was asked to undertake several projects, including an education program for judges, revisions to the Judicial Canons and the attorneys' code prohibiting bias, and development of a plan for fee-generating court appointments. The following outlines what has been accomplished in these areas.

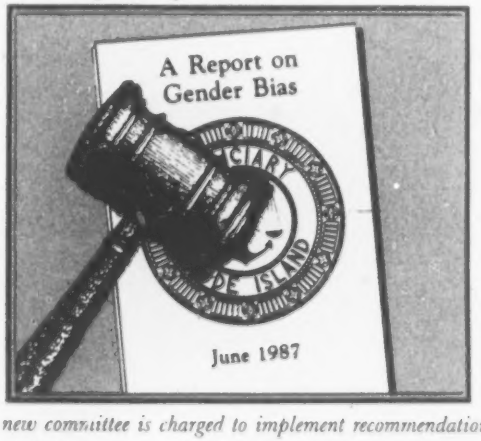
The committee sponsored a day long judicial conference in May 1988 focusing on the role of judges as decision makers and leaders, and the use of this role in assuring the fair treatment of all court participants. The committee also conducted two half day programs in December for court employees and sheriffs which focused on effective communication, particularly in the court environment.

In addition, the language that the committee proposed for revising the Code of Professional Responsibility has been incorporated in the revisions which were adopted by the Supreme Court. The new section expands the definition of attorney misconduct to include "harmful or discriminatory treatment of litigants, jurors, witnesses, lawyers and others based on race, nationality or sex." The committee's proposed changes to the Judicial Canons have not been acted on because revision of the Canons has not been completed.

The committee has also forwarded a proposal to the Chief Justice for setting up panels of attorneys for court appointments in criminal cases and in civil cases involving friendly suits.

Another issue which the Advisory Committee addressed was the impact of the child support guidelines which were promulgated by the Family Court in October 1987. The committee conducted a research project on child support ordered in contested and nominal cases during a specific period of time. According to the committee's findings, support is being ordered in more cases under the guidelines and the amount ordered has increased. On the other hand, the committee was concerned to find that the guidelines are treated as "the going rate" rather than as bare minimums. As a result of its findings, the committee asked the Chief Justice to forward the study results to the judges of the Family Court and to the Family Court Bench Bar Committee.

The Advisory Committee will be submitting a year end report to the Chief Justice at the beginning of 1989.



A new committee is charged to implement recommendations in 1987 report on gender bias in the courts.

NUMEROUS CHANGES IMPROVE LIBRARY SERVICE

The State Law Library increased service in several important areas during 1988. The improvements were the result of recommendations made by the Advisory Committee on Legal Reference and Research Needs in 1985. The first and foremost of these was the introduction of Westlaw as a legal reference tool.

State law librarian Ken Svengalis discusses implementation of new services with staff Sondra Giles (l) and Karen Quinn (r).

Westlaw provides library staff, judges and law clerks with access to an enormous data base of cases, statutes, citations, and other materials to support the research needs of the court system. Library staff, law clerks and staff attorneys have all received free training from Westlaw personnel in the use of the system. At the end of the year, the library also began offering Westlaw services to attorneys and private individuals on a cost-recovery basis.

This year the library also acquired an IBM-310 computer and printer and became a direct member of the computerized cataloging network which links libraries all over the country. This technology provides the library with immediate access to cataloging data and dramatically increases the speed with which new books are processed for use by its patrons. Finally, the library acquired a Harris/3M Fax machine, which provides both the library and the court system with a nationwide communications capability for the transmission of written materials.

Increased funding this year also allowed the library to expand the staff in order to accommodate increased demands for reference services, extended hours, and the expansion of branch law library services. A Head of Public Services was added to provide patrons with assistance in both computerized and general legal research, and a part-time clerical assistant was added to provide coverage for both branch law libraries and evening hours.

Another recommendation of the Advisory Committee which was implemented in April 1988 was the extension of library hours to 9:00 p.m. on Tuesday and Thursday evenings. Members of the bar had petitioned for evening hours for many years because the State Law Library is the only significant legal research library in the state of Rhode Island and its limited hours placed some members of the bar at a disadvantage.

Another significant development in 1988 was the installation of a new heating and air-conditioning system which, for the first time, provided law library patrons and staff with a comfortable working environment. This development was the latest in a series of improvements to the Licht Judicial Complex. During the third phase of this project the library will be the beneficiary of a complete physical overhaul of its quarters, including new furniture, lighting, and carpeting, and the creation of a new reference area for government documents and microforms.

As the year drew to a close, the library staff assisted in the design and organization of a law library in the new J. Howard McGrath Judicial Complex in Washington County. This is a significant expansion of the limited law library previously available to judges and attorneys in the Washington County area.

The State Law Library greatly increased the size of its collection in 1988 through the acquisition of 2,480 new hardcopy volumes and more than 500 volumes in microfiche format, bringing the total collection to more than 103,000 volumes. The dramatic growth in the size and breadth of the legal treatise collection, in particular, required a major physical reorganization of the library's main room which was achieved by the conversion of many older volumes to microfiche. In addition, support for capital expenditures by the Administrative Office of the State Court resulted in the replacement of card catalogs and the purchase of shelving, an index table, microfiche cabinet and a reader/printer.

APPELLATE SCREENING AND PREBRIEFING UNITS MERGE

In September 1988 the Supreme Court merged the Appellate Screening Unit and the Prebriefing Unit, creating a single staff attorneys' office, and appointed Ms. Martha Newcomb as chief staff attorney. The court felt that centralizing the various functions performed by these departments would result in more efficiency and better staff interaction. This merger was recommended by the National Center for State Courts following a courtwide study last year.

Staff attorneys (l-r) Rebecca McSweeney, Martha Newcomb and Paula Beattie review new procedures resulting from merge.

All the staff attorneys will now share in the work of reviewing cases at the prebriefing stage, as well as preparing more extensive prehearing reports for cases assigned to the full argument calendar. According to Ms. Newcomb, "This will give the attorneys in our office more variety in their work and a chance to become more fully involved in all of the court's procedures. In addition, we hope it will result in less duplication of effort and better inter-court communication."

LAW CLERK POOL EXPANDED TO MEET DEMANDS

The law clerk pool has been increased to accommodate the needs of the justices of the Superior, Family and District Courts. The pool has been expanded from twelve to fourteen clerks and two third-year law students. This has enabled the pool to provide more services to the justices located in the counties.

There are two law clerks currently assigned to Kent County, one to Newport County,

and one to Washington County. In addition, there are presently four law clerks stationed in the Garrahy Judicial Complex. Two of the clerks assist on the Daily Civil and Formal and Special Cause motion calendars, and two others are assigned to the Family and District Courts. To give the law clerks a broader perspective of the judicial process and to tailor a clerk's strengths with a judge's research and writing needs, all law clerk assignments rotate every three months.

The expanded law clerk pool has reduced or largely eliminated any delay in providing research and writing support to requesting judges.

Ms. Donna Madden is currently serving as Chief Law Clerk. During the 1987-1988 term, Ms. Madden was a member of the law clerk pool.

CHARACTER AND FITNESS COMMITTEE FORMED

The Supreme Court has appointed a Character and Fitness Committee which will establish standards that each candidate for admission to the Rhode Island Bar must satisfy in order to practice law in the state. The committee will scrutinize each applicant's background and recommend to the court whether the applicant is a good candidate for admission to the Rhode Island Bar.

Michael Schwartz provides attorney input to rules being considered by the new character and fitness committee.

Bar applicants will be charged a fee for the Character and Fitness Committee investigation which is separate from that assessed to take the bar examination. The fee is $100.00 for bar applicants, $200.00 for attorneys seeking admission without examination, and $50.00 for applicants who are retaking the exam.

In April 1988 the court appointed another new committee, the Unauthorized Practice of Law Committee. This was formerly a committee of the Bar Association, but legislation passed in 1982 created a separate commission to respond to complaints of persons illegally practicing law. The committee's function is primarily investigative. It receives three to four complaints each month and has twice brought civil suits to carry out its mandate.

While two new committees were appointed, another completed its work this year with the adoption of the new Rules of Professional Conduct which became effective November 15, 1988.

The new rules replace the former Code of Professional Responsibility and incorporate many of the provisions of the American Bar Association model. One of the many changes in the rules deals with lawyer advertising. As standards for advertising were very broad in the past, the new code delineates precisely what is and what is not allowed in an advertisement. The committee which drafted the rules was chaired by Supreme Court Associate Justice Florence K. Murray.

DISCIPLINARY BOARD IMPLEMENTS COURT RULE CHANGES

The Supreme Court approved a number of rule changes this year expanding the role of the Attorney Disciplinary Board. Supreme Court Rule 42-1 was amended to provide for disciplinary jurisdiction over attorneys who have been suspended or disbarred for any misconduct committed while a member of the bar. Rule 42-6(d) was also amended to standardize the format of Disciplinary Board decisions forwarded to the court. Another rule change approved by the court, requires that all attorneys suspended for more than one year or disbarred, successfuly pass the Multi-state Professional Responsibility Exam (MPRE) as a condition of reinstatement. The court also has approved a questionnaire to be completed by all applicants for reinstatement.

At the request of the court and the Disciplinary Counsel, an evaluation team from the American Bar Association reviewed the operation and procedures of the Disciplinary Office on September 14-16, 1988. A report of the evaluation team is expected early next year.

VICTIM RESTITUTION UNIT FORMED; SPECIAL MASTER CARNEVALE APPOINTED

Hon. A. Carnevale, Jr.

An innovative program to strengthen the procedure for the collection of restitution and fines was made possible by a grant from the State Justice Institute and matching funds provided by the state. These funds created the position of Special Master to hear cases which deal with determination of restitution and failure to pay court-ordered fines, fees and costs in criminal cases. The Master will also deal with the determination and payment of claims from the Violent Crimes Indemnity Fund under the Criminal Injuries Compensation Act (R.I.G.L. §12-25).

A five person Victim Restitution Unit has been created to assist the Special Master. The Victim Restitution Unit consists of an administrative assistant/clerk, recording clerk, two investigators and a data entry operator. The unit will support the Special Master in enforcing compliance with court ordered restitution and fines, and in establishing restitution satisfactory to the victim and realistically suited to the offender's ability to pay.

The expected benefits of this initiative are:

1. An increase in the collection of restitution and other court ordered payments;
2. A more uniform system of collection and enforcement of payments;
3. A decrease in the burden on judges, probation officers and registry clerks in the collection and enforcement of court orders;
4. A basis to compare alternative methods of tracking and notifying offenders;
5. An increase in collections of assessments due the Violent Crimes Indemnity Fund thus enabling timely and increased payment of awards.

Court recording clerk Dot Ferri shows Special Master Carnevale the day's calendar while Investigator John Antonelli checks on an offender's status.

This program is headed by newly appointed Special Master Anthony Carnevale, Jr. Special Master Carnevale was appointed by Chief Justice Fay on July 27, 1988. Master Carnevale was a state representative from 1976 until his appointment as Special Master. He was employed by the Providence School Department for fifteen years and had a private law practice until this appointment.

ADMINISTRATIVE OFFICE

MATTHEW J. SMITH ASSUMES STATE COURT ADMINISTRATOR'S POST

On February 8, 1988, Matthew J. Smith became Clerk of the Supreme Court and the second State Court Administrator since the reorganization of the Rhode Island court system in 1969. He succeeds Walter J. Kane who had served in that office for the past eighteen years.

Mr. Smith is a graduate of Providence College (1962) and received a graduate degree from the college (M.A. 1966). He taught in the Providence school system and served as an associate professor and archivist at Providence College.

Matthew J. Smith

Mr. Smith was elected as a state representative in a special election in June 1973. He served on numerous legislative committees and served as chairman of the House Finance Committee from 1976 to 1980. He was elected Speaker of the House on January 25, 1980 and held that position until accepting his position with the court.

Mr. Smith has authored and co-authored books and articles on Rhode Island. He also maintains active membership in numerous professional, civic and community organizations.

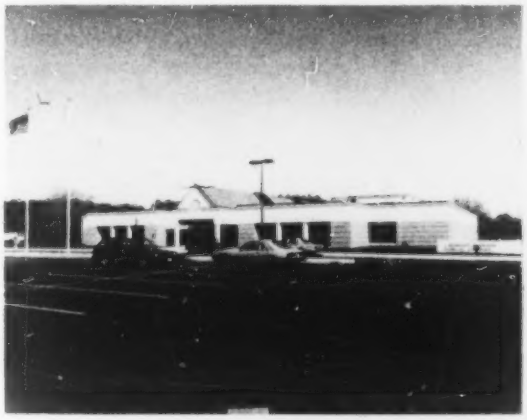
JUDICIAL FACILITIES IMPROVEMENTS CONTINUE

This year has seen the completion of two major court facility projects and continued progress on a third.

In Providence, Phase II renovations to the Licht Judicial Complex were completed. This phase involved the installation of an entirely new heating, ventilation, and air conditioning system with related plumbing and electrical work.

Environmental systems supervisor Roger Valois (r) points out changes planned to Newport County Courthouse to Deputy Court Administrator Bob Harrall.

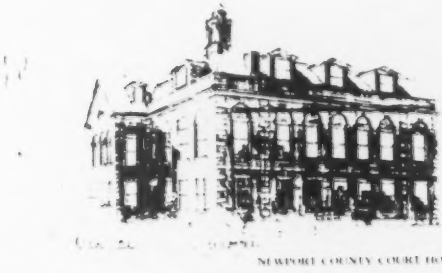
The J. Howard McGrath Judicial Complex in Washington County was completed in December. This long-awaited facility provides 40,000 square feet of judicial and administrative space for the Superior, Family, and District Courts, the Attorney General, Adult and Juvenile Probation, the Public Defender, and the Sheriff of Washington County. Support facilities, including a prisoner holding area, a law library, and a child care area, are also provided.



J. Howard McGrath Judicial Complex serves Washington County Superior, Family and District courts.

Planning and design also continued on the renovation of the Newport County Courthouse. Work is scheduled to begin in March 1989. The project involves the total renovation of the existing building and the addition of a third floor. At completion, scheduled for December 1989, the building will have an additional courtroom, an expanded law library, and support space for the Public Defender and the Attorney General.

In November 1988 the Public Buildings Authority approved Phase III of the renovations to the Licht Complex. That phase will include the installation of new elevators, total rehabilitation of the plumbing and electrical systems, the creation of some additional courtroom space, new facilities for the Grand Jury, and a general upgrading of all interior space. Work is tentatively scheduled to begin in the fall of 1989.



Architectural drawing of rear aspect of the Newport County Courthouse with proposed modifications.

— OFFICE OF PUBLIC INFORMATION LAUNCHES NEW INITIATIVE TO EDUCATE AND INFORM PUBLIC

In 1988 the major thrust of the judiciary's Office of Public Information was the creation of a series of multi-media projects. These projects are aimed at increasing the public's understanding of the judiciary and the services it provides to the people of Rhode Island.

Central to the endeavor's success was the conceptualization and development of an innovative series of documentary/live-interview television programs called JUSTICE FOR ALL (JFA). This series ultimately received grant underwriting from the RI Bar Association's IOLTA fund (Interest on Lawyer's Trust Accounts). Each JFA program focuses on a unique area of public concern such as victim rights, victim compensation and restitution, domestic violence, or child support. These topics are addressed from the perspective of the judiciary as well as from that of offenders and victims.

The hour long programs began in September 1988 and will continue through 1989. Each program features a panel with a judge and others who have expertise in the area being discussed. The program is hosted by Mr. James J. Roberts, Director of the Office of Public Information, and is carried live by all state cable television systems and the local PBS-TV outlet, Channel 36. This series may be the only one of its kind in the country to explain the key role the judiciary plays in diverse areas of public interest.

To increase the lifespan and heighten the impact of the series, the Public Information Office is loaning schools and civic organizations video tape dubs of each program. These are accompanied by lesson plans, discussion guides, and pamphlets which the office has developed to further stimulate study and discussion about the judiciary. The office also has promoted the use of the programs and support material by the Ocean State Center for Law and Citizen Education and the Rhode Island Legal/Educational Partnership.

Laura Boyle, editor of a new court employee newsletter begins a "press run".

The office follows up each program by extending personal invitations to schools and organizations to contact the newly established judicial speakers bureau and court tour project. These programs actively promote court visitations and court speakers.

During 1988 the office also began development of a series of print publications on restitution, victim rights, domestic violence, and child support. Distribution of the publications to the public has been arranged through attorneys, police departments, civic groups and also via information racks placed in each court building.

With the recent acquisition of desktop publishing equipment, the office will produce guides and pamphlets on each of Rhode Island's courts. Desktop publishing software also will be used to generate the new, quarterly employee newsletter (FULL COURT PRESS) and to update the Judiciary Telephone Directory.

Also in 1988, the office produced an eleven tape set of training programs which show new attorneys how criminal, civil, and domestic trials are conducted in Rhode Island courtrooms. The Clerkship Training Program tapes have received high praise from members of both the bench and bar. The tapes will not only improve the general quality of training, but also will be used for years to come to save judges and attorneys hours of training time.

CRIME VICTIMS RECEIVE ALMOST A MILLION DOLLARS IN RESTITUTION PAYMENTS

Frank Eldredge

The results from the Central Registry in 1988 showed a 30% increase in restitution payments for the year; the amount disbursed totalled $959,654. This increase resulted from a joint decision by Chief Justice Thomas F. Fay and the Manager of Judicial Revenue, Frank G. Eldredge, Jr., to have a year end pay-out in all cases in which restitution had been paid during the year. This deviation from normal procedure allowed over 2,200 people to receive at least partial restitution payments prior to the end of the year.

Through prudent investing of the monies collected, the registry also was able to forward a check for $10,934.26 to the Violent Crimes Indemnity Fund. This money represented the interest earned on restitution payments, and its transfer to the VCIF was made possible by legislation enacted in 1988.

Another improvement in registry services this year was due to enhancement of the computer system. The modifications have given the office capability to respond to inquiries in an expeditious manner and were coordinated by the new Special Master and the Victim Restitution Unit, the Rhode Island Judicial Systems and Sciences Office, the Probation Department, and clerks of the various courts.

Mr. Eldredge was named the Manager of Judicial Revenue in July 1988, and his responsibilities include overseeing the Central Registry. He has an extensive background in banking. Other duties in his new position include the formulation and publishing of policy to standardize the handling of court-imposed or court-related monetary payments, deposits and receipts.

COURTS' COMPUTER CAPABILITIES ENHANCED

RIJSS Executive Director Edward J. Plunkett, Jr., and Mary Valletta, Supervisor of Opinion Issuance display new laser printer.

The courts' computer support unit, Rhode Island Judicial Systems and Sciences (RIJSS), succeeded in attaining numerous goals this year, according to the unit director, Mr. Edward J. Plunkett, Jr.

The divisions of the District Court began entering D.W.I. cases into the automated system this year, and the last link in automating the courts' criminal case tracking system came closer to reality in November when the first and sixth divisions began entering all misdemeanor cases. In cooperation with RIJSS staff, District Court personnel have developed a new case numbering system and a case entry screen to match the new criminal complaint form introduced in February. Full automation of the misdemeanor caseload is to be completed in the District Court in the coming year.

This year RIJSS staff also developed substantial programming to support the newly created Victim Restitution Unit. This programming enhanced the Superior Court registry system and the Central Registry. The Supreme Court's appellate screening unit was also provided a notice generating capability, and the unit is now able to coordinate its data and word processing files.

Other system improvements included the use of the Attorney General's computer in Kent County as a tap to the state's IBM system in Johnston. This has allowed all courts to have access to state accounting and personnel files as well as to the files of the Administrative Adjudication Division for DWI case histories. Additionally, memory was doubled in the Wang VS-100 computer (Garrahy Complex). This enables system users faster response time and permits the addition of more terminals.

EDUCATION OFFICE COORDINATES INNOVATIVE PROGRAMMING

The Education Office had a whirlwind year in 1988. The office sponsored six major conferences for judges. The topics covered included: permanency planning in foster care cases, the rules of evidence for hearsay testimony, the role of judges in promoting gender equality, special issues in driving-while-intoxicated cases, and retirement planning. In addition, the Annual Judicial Conference addressed two issues; the growing number of warrants and the equitable distribution of marital property.

The office also sponsored programs for employees which focused primarily on skills development. Instruction was offered in word processing for beginning, intermediate and advanced levels. A seminar was also offered during the year on communication skills. Seminar participants were primarily employees of the Clerks' Offices and sheriffs.

In addition, the Education Office developed a liaison with the University of Rhode Island, and for the first time, baccalaureate level courses will be offered at the courthouse following working hours. The courses will be taught by university faculty and are scheduled to begin in the spring of 1989.

A third area of programming was outreach to schools. A highlight of this segment was the creation of the Junior Justice Program with puppet star "Jeremiah Justice". Members of the judiciary accompany the puppet on classroom visits to grades K-4. This unique partnership teaches very young citizens about basic constitutional values and exposes them to the fundamental principles of the justice system. The program has been very well received, and the Education Office has been approached by education groups in Massachusetts who want to use it as a model.

"Jeremiah Justice" steals the show during a classroom visit by Associate Justice Donald F. Shea and Court Education Officer Holly Hitchcock.

SUPERIOR COURT

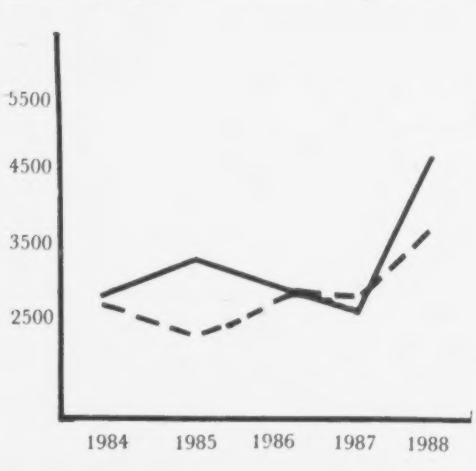
Presiding Justice Anthony A. Giannini

Administrator John J. Hogan

DRAMATIC INCREASE IN CRIMINAL DISPOSITIONS HIGHLIGHT YEAR-END REPORT

For Superior Court the highlights of 1988 were the dramatic increase in dispositions on the criminal calendar and a continued reduction in the civil caseload, both in Providence County.

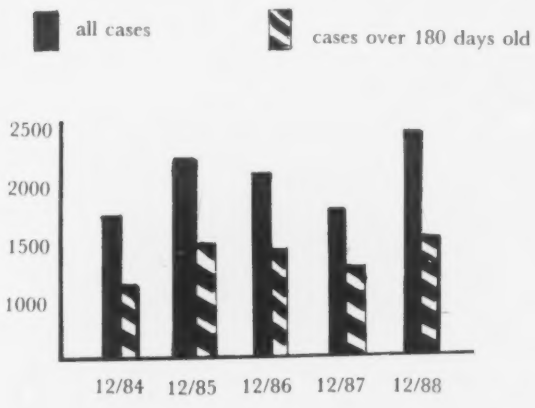
PROVIDENCE/BRISTOL COUNTIES
FELONY CASEFLOW



Felony dispositions in Providence totalled 4,192 this past year, which was an all time record for the court. Compared to 1987 the number disposed rose by 1,090 cases or 35%. These results were due to at least two factors, the success of the new pre-arraignment conference process and the assignment of five judges to assist on the criminal trial calendar.

Felony filings also reached an all-time high this year. The number filed in Providence

PROVIDENCE/BRISTOL COUNTIES
PENDING FELONY CASES AS OF 12/31/88



County was 5,142, which was an increase of 2,122 cases or an incredible 70% compared to 1987. However, the real growth was closer to 1,000 cases, since this unusually high number was due in part to a clearing up of a backlog of cases at the felony screening stage, a backlog estimated to have totalled around 1,000 cases.

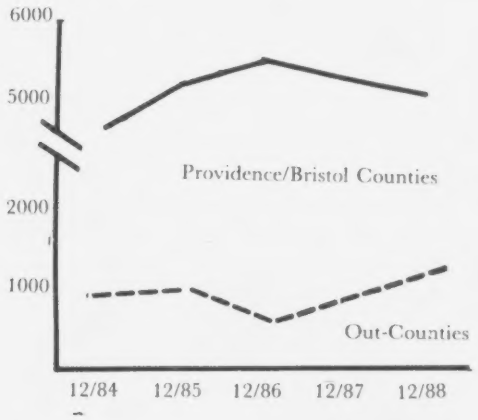
As a result, even with record dispositions, the number disposed trailed filings by 950 cases. This affected the pending felony caseload which climbed to 2,407 cases, and it also affected the number of cases pending over six months. As of the end of December, 1,487 cases, or 61.8% of the total, were in the over-six-month category.

Misdemeanor appeals also were higher in Providence County this year than in the previous four years; the number filed was 866 cases, while in the previous four years appeals averaged 566 cases. In this past year the appeal rate has increased by 53%.

On the civil side, the results showed continued success in Providence County in

reducing the civil calendar caseload. At the end of 1986 the number pending was up to 5,605, but over a two-year period it has been reduced by 409 cases; on December 31 the number was down to 5,196. One of the factors contributing to this reduction was an increase in dispositions on the calendar. A year ago there were 2,014 cases disposed, and this year the total was 2,113. In contrast, the average number disposed in the three previous years was 1,721. The other factor

CIVIL TRIAL CALENDAR
PENDING CASELOAD



was a slight decline in the number of cases added to the civil calendar both this year and last year. In 1985 and 1986 the number added exceeded 2,000, but last year and this year it has dropped to 1,883 and 1,857.

Although it had no impact on the cases added to the calendar this year, civil filings climbed above 6,000 for the first time in Providence County; the number filed was 6,128.

Civil filings also showed an increase in the out-counties, although it was not as dramatic as in Providence. In Kent County filings rose by 5%, and the total filed for the year was 1,442. In Washington and Newport counties the increase was only marginal. The number filed in Washington County was 680 and in Newport County it was 613.

However, in contrast to Providence, the civil cases added to the calendar were higher in all three out-counties. Kent County experienced the greatest percentage increase, 19%; the number added in Kent was 531. In Washington County added cases totalled 184 compared to 162 a year ago, and in Newport they totalled 613, an increase of only six cases from 1987.

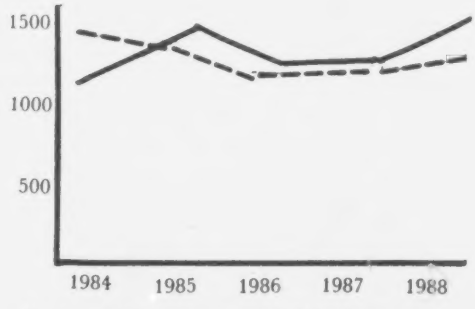
Dispositions on the civil calendar in Kent County were about the same as last year, 249 cases, but they were less than half (47%) of the total disposed in 1986. As a result the pending caseload has more than doubled in Kent County since 1986; two years ago the number pending was 394, and at the end of this year it was up to 828.

Dispositions increased in the other two counties compared to 1987 but still fell short of the number added, resulting in higher civil calendar caseloads in both Washington and Newport counties as well. In Washington County the cases pending on the civil calendar went up from 381 to 468, and in Newport they went from 292 to 381.

Felony filings were also higher in all three out-counties, but again the increases were less dramatic than in Providence. Kent experienced a 23% increase compared to 1987, although filings were still below the level of 1985; filings totaled 768 in Kent for the year. In Washington County there were 453 felonies filed, an increase of 83 cases or 35%.

County by county the disposition results on the criminal calendar were as follows. In Kent, dispositions were about on par with 1987; the number disposed was 679. However, although dispositions exceeded filings a year ago, they fell short this year by 89 cases. The impact was a doubling in the number of pending felonies; the number jumped from 92 to 210 in a year's time. Yet, despite this, there was no increase in the cases pending over six months. At the end of the year, there were only 27 cases that had aged to the 180-day point in Kent County.

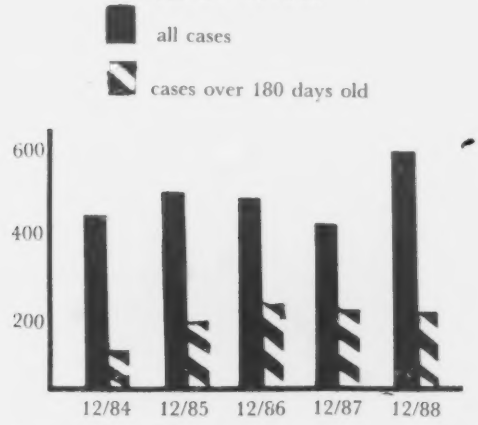
OUT-COUNTIES FELONY CASEFLOW
——— Filings — — — Dispositions



In both Newport and Washington counties, felony dispositions were higher compared to a year ago, but again the number disposed fell short of filings. In Newport, the

number disposed was 241, which was 81 cases less than were filed, and in Washington, the total was 376, 47 cases below the number filed.

OUT-COUNTIES PENDING FELONY CASES AS OF 12/31/88



Despite this gap, there was no increase in the older cases in these counties either. At tht end of the year, 99 cases or 51% in Newport County were over six months old, and in Washington County the total was 85 or 43%.

WHEATON DECISION RESULTS IN NEW CRIMINAL TRIAL CALENDAR

"...in the future, a case once called for trial and ready but not reached for good reasons should not be returned to the calendar. It should be held ready until it can be reached and tried."

The above is a quotation from the Rhode Island Supreme Court decision, in the matter of State v. James Wheaton, which was rendered on July 27, 1987. This decision has been the basis for a significant change in the criminal trial calendaring system in Providence/Bristol County Superior Court.

Following the Wheaton decision Presiding Justice Anthony A. Giannini requested technical assistance from the Bureau of Justice Assistance to aid the court in complying with the above mandate of the Supreme Court. After a series of meetings with the Attorney General, Public Defender, and representatives of the criminal bench-bar committee, the Presiding Justice issued an administrative order setting forth specific changes to the calendaring system. These included a requirement that attorneys file either a certificate of readiness or a motion for continuance with the court the Tuesday prior to the call of the calendar. The new procedure was officially implemented on May 13, 1988.

CLERKS' OFFICES REACT TO CASELOAD INCREASES

The Clerks' Offices felt the impact this year of the dramatic increase in case filings at the Superior Court level. In Providence/Bristol County felony filings alone rose 70%. Courtwide total filings were up by 23%. This expanded workload stretched an already thin core of support staff and has been a factor in moving to automate many functions. As of this year the two largest Clerks' Offices, Providence and Kent, both have fully automated civil and criminal record keeping systems, and the accounting function has also been fully automated.

Future plans include extending the automated system for civil case tracking to Newport County Superior Court and instituting automated accounting systems in Newport and Washington counties in early 1989.

Two other areas of activity this year included the updating of procedural manuals used by courtroom and registry clerks and the naming of a committee to review court forms, chaired by Associate Justice Corinne P. Grande.

Providence County Registry Clerk Sue Laroche is able to quickly track payment records using the new automated accounting system.

COURT MODIFIES FELONY SCREENING PROCESS

Based on a proposal drafted jointly by the Public Defender, Attorney General, and representatives of the criminal bench-bar committee, Presiding Justice Anthony A. Giannini issued an administrative order on March 30, 1988, setting forth a new procedure for the screening of felonies. Specific time frames were delineated for each event occurring in the screening process from the initial appearance of the accused through arraignment in Superior Court. In addition, two District Court judges were authorized to serve as Superior Court judges to conduct conferences and arraignments.

The new procedure was implemented initially in Providence County Superior Court to expedite cases charged by information. The administrative order provides that a Determination of Attorney hearing is held in the second week after the initial appearance in District Court, and in the ninth week after initial appearance there is a Superior Court hearing to discuss a possible disposition of the case; this is the Pre-Arraignment Conference. If the conference does not result in a disposition, the matter is then continued for arraignment in the tenth week. The defendant is given a notice at initial appearance for all of the above court dates.

The Presiding Justice amended the original administrative order in July 1988 by adjusting the original time frames, so that toxicology reports would be completed.

Pre-Arraignment Conferences were handled initially by Chief Judge Albert E. DeRobbio and Associate Judge Antonio SaoBento of the District Court sitting by authorization of Chief Justice Thomas F. Fay. As of December 17, 1988, the new process has resulted in the disposition of 1,596 cases.

During the 1988 session of the General Assembly, the Senate voted to congratulate Presiding Justice Giannini, Chief Judge DeRobbio and Attorney General James O'Neil on the implementation of the new screening system (Sen. Res. 88-142).

FIVE NEW JUSTICES ARE NAMED TO SUPERIOR COURT

Former District Court Judge Vincent A. Ragosta was the first of five new appointments to the Superior Court Bench. Associate Justice Ragosta was sworn in on February 12, 1988 and was followed by the swearing in of Associate Justices John F. Sheehan (2/15/88), Ronald R. Gagnon (2/15/88), Henry Gemma, Jr. (8/12/88) and Mark A. Pfeiffer (10/27/88).

Four of the new appointees filled vacancies created by retirements, and the other appointment was to a new associate justice position established under a federal grant to expedite the handling of criminal matters. This marks the first time in recent memory that the Superior Court has been at full strength; in addition, there will be a nineteenth associate justice for the duration of the grant. The following is a brief profile of each of the new appointees.

Associate Justice Vincent A. Ragosta

Justice Ragosta graduated from the University of Rhode Island (1949) and Boston Law School (1951). He served as assistant city solicitor for the City of Providence from 1953 to 1966, and he also served as a member of the Governor's Advisory Council on Social Welfare under Governors Notte, Chafee and Licht. He was appointed an Associate Judge of the District Court on May 18, 1978, and served in this capacity until his appointment to the Superior Court.

Associate Justice John F. Sheehan

Justice Sheehan attended Brown University (1943) and graduated from Boston University Law School in 1959. He had a private law practice in the Providence area for nearly thirty years and was one of the state's best known criminal trial lawyers, although his background includes civil litigation as well He has served on the Board of Directors for Big Brothers of Rhode Island and as counsel for the General Assembly's Joint Committee on Claims.

Associate Justice Ronald R. Gagnon

Justice Gagnon is a graduate of Providence College (1952) and Harvard Law School (1955). He was an associate of retired Family Court Chief Judge William R. Goldberg in his early law practice and was an active member of the Pawtucket bar for twenty years until his appointment to the Superior Court. He has served on local and state commissions and on boards in the Blackstone Valley area including the Visiting Nurse Services Association, the Jaycees, and the Chamber of Commerce. He was also an incorporator of Pawtucket Memorial Hospital.

Associate Justice Henry Gemma, Jr.

Justice Gemma was appointed as the Superior Court's nineteenth Associate Justice. From 1986 to 1988 Justice Gemma served as Legal Counsel to the General Assembly's Senate Majority Leader. Prior to that Justice Gemma served in various capacities in the Department of Attorney General. He worked in the Appellate Unit of that office and then the Criminal Trial Division. He became Deputy Chief of the Trial Division in 1979 and Chief of the Trial Division in 1984.

Justice Gemma has been a member of the Superior Court Criminal Bench Bar Committee and presently serves on the Sentencing Study Committee and the Commission of the Jurisprudence of the Future. Justice Gemma graduated from Villanova College in 1964 and received his law degree from Suffolk University in 1969.

Associate Justice Mark Pfeiffer

Prior to his appointment to the Superior Court, Justice Pfeiffer served as Director of the Department of Business Regulation. He was appointed to this position in April 1986 by Governor Edward D. DiPrete. He is a graduate of Dartmouth College and Cornell Law School. In 1970 he was a White House Intern on the staff of Dr. Arthur F. Burns, then counsel to the President. He has held positions in the U.S. Department of Housing and Urban Development, Elmira, New York; and in the Enforcement and Operations section of the U.S. Treasury Department. From 1975 to 1980, he served as legal counsel to the Rhode Island Senate Minority Leader, and was a member of the Bristol School Committee from 1984 to 1986.

Honorable Vincent A. Ragosta

Honorable John F. Sheehan

Honorable Ronald R. Gagnon

Honorable Henry Gemma, Jr.

Honorable Mark Pfeiffer

Chief Judge
Jeremiah S. Jeremiah, Jr.

FAMILY COURT

Administrator/Clerk
Earl J. Croft, Jr.

REDUCTION IN PENDING CASES ON CONTESTED CALENDAR NOTED

During 1988 the Family Court made great strides in reducing the number of cases pending on the contested divorce calendar. A year ago there were 690 contested cases pending, and this year's efforts brought the number down to 543, a reduction of 147 cases.

Between 1984 and 1987 the contested caseload rose by 210 cases or 44%, due in part to an increase in the number of cases added to the calendar. In 1984 the number added was 802, and in 1986 and 1987 it was as high as 985 and 970, an increase of 21%.

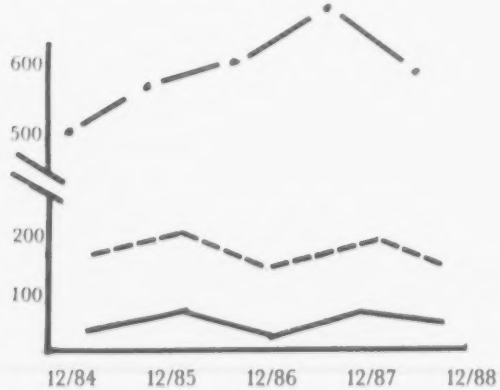
This past year added cases were still at the same level; the number added was 955. The difference was that dispositions reached an all time record of 1,102 cases. Compared to last year alone dispositions increased by 194 cases or 21%.

CONTESTED DIVORCE CALENDAR RESULTS

• — • total pending

— — — pending over 180 days old

_____ pending over 360 days old



These results have had an impact on the older cases as well as on the caseload as a whole. Last year there were 35 contested cases over a year old, and as of December 31 the number was down to 26, or just under 5% of the total. The cases between six months and a year old have also been reduced. A year ago there were 161 cases in this category, and this year the number has been reduced to 131. All cases over six months old now represent 29% of the total.

However, the percentage of older cases varies county by county. For example, as of December 31 approximately 57% of all pending contested cases were in Providence County, but the percent of cases over six months old in Providence was less than that, 46%. On the other hand, Washington County accounted for 20% of the contested caseload but 30% of the older cases. In the other two counties, Kent and Newport, the older cases were in proportion to their share of the total caseload.

Year end results for the Family Court also included higher filings in all categories; for example, divorce petitions increased statewide by 6% (313 cases) compared to last year, with filings for the year totalling 5,217. However, while Kent County petitions rose by 6%, the rate of increase in Washington and Newport counties was much higher. In Washington County divorce petitions went up by 34% and in Newport County by 43%. New petitions in Washington County totalled 733 for the year, and in Newport County this year's total was 578. On the other hand, Providence County experienced a decline in divorce petitions of 3%.

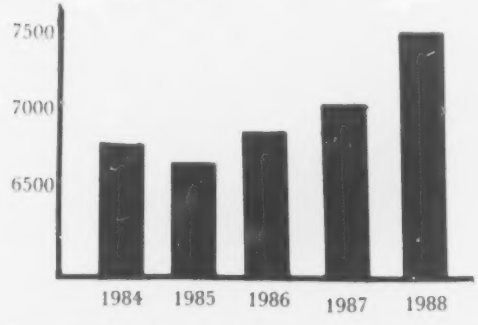
Abuse complaints were also higher this year. The total filed statewide was 2,655, which was an increase of 345 over a year ago. As in the past the majority of these cases, 75%, were in Providence County.

Juvenile filings, which totaled 7,363 for the year, showed an increase of 6% compared to 1987. Of this number, 5,432 cases or 74% were wayward/delinquent referrals, and 739 or 10% were dependency/neglect/abuse filings.

Although filings were higher, total dispositions on the juvenile side were lower than a year ago. The number disposed was 6,514, a drop of 188 from last year's total of 6,702.

The difference was due to a decrease in the cases disposed non-judicially by Intake and the Youth Diversionary Unit. A year ago the total number handled in this manner was 1,900, and this year it dropped to 1,700.

TOTAL JUVENILE FILINGS

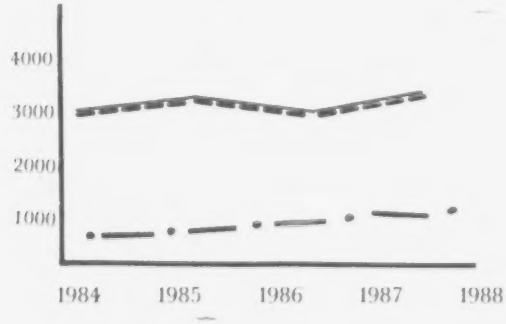


On the other hand, the cases disposed on the trial calendar actually increased by 116 compared to 1987; the total disposed was 3,541. Despite the increase, this was still less than the number added to the calendar, which was 3,673.

Due to the gap between the number added and disposed on the calendar, the pending juvenile caseload has increased since last year from 494 cases to 542, which is the highest it has risen in the five year period. Compared to 1984 the pending caseload has climbed by 39%.

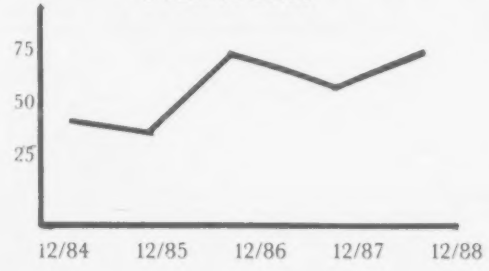
JUVENILE TRIAL CALENDAR RESULTS

——— added — — — disposed • — • pending



The number of juvenile cases over 90 days old has also risen. The wayward/delinquent cases in this category have increased from 58 to 70 since last year, and civil cases have gone up from 52 to 67. The wayward/delinquent cases pending over 90 days represented 10% of the total, and the civil cases, 37%.

WAYWARD/DELINQUENT CASES PENDING OVER 90 DAYS



JUVENILE AND FAMILY SERVICES DEAL WITH INCREASED CASELOAD

The Juvenile and Family Services Departments continue to offer valuable resources to the Family Court in dealing with an increased caseload.

Intake supervisors within the Juvenile Services Department screen all wayward and delinquent petitions (excluding emergencies). They provide counseling in appropriate cases, develop restitution agreements and make referrals to community agencies. The Youth Diversionary Unit within this department also interviews, counsels and provides follow-up supervision, but generally handles status offenders, youth referred to the court for running away from home, disobeying parental rules, not attending school or for other problems requiring on-going supervision.

This past year the department developed a liaison with the Big Brothers organization. This initiative will match young boys with an adult role model from this organization.

The effort of this department is to dispose of matters non-judicially and reduce the number of cases placed on the court calendar. In 1988 the Juvenile Services Unit screened 4,520 cases and handled 1,700 (38%) of these cases without a court hearing.

Barbara Rogers, Chief of the Family Service Department talks with alcohol unit head Bill Greene

The Family Service Department also provides a wide range of services to assist families and individuals experiencing difficulties. In addition to offering family and alcohol counseling, this department provides investigations in regard to child support, custody and other matters handled by the court. The department, in certain cases, also supervises child visitations.

In 1988 the department completed 896 investigations; an increase of 133 investigations from 1987 (663). In addition, the counselors provided alcohol and/or family counseling services to 319 families. The department also provided 165 hours of supervised child visitation. The investigators supervised these visits in the court building or at approved safe sites.

In 1988 the department initiated a new program in Family Court ordered mediation. This pilot program provides a non-adversarial setting for resolving custody and visitation issues in divorce cases. Under the program, three two-hour sessions are required focusing on a positive reorganization of the family and stressing the ongoing appropriate involvement of both parents in the lives of their children. There are two program mediators; so far they have handled 34 cases and have been able to achieve full or partial agreements in approximately 50% of the cases. The program will continue in 1989, and the impact of this approach will be evaluated.

CASA PROGRAM IN 10th YEAR

The Court Appointed Special Advocate Program (CASA) celebrated its tenth year of serving children in 1988. The program recruits and trains volunteer advocates (VCASAs) who conduct independent investigations into the factors leading to a child's removal from his/her biological home. The advocates also monitor the progress of cases through the Family Court and the child welfare system.

The program began the year with the appointment of a new director, Francis B. Brown. Mr. Brown was formerly a CASA staff attorney. He replaced Ms. Mary Lisi who had been director since 1982.

During 1988 cases involving 838 children were referred to CASA. The Providence County office received 657 of these cases; Kent County, 79; Newport County, 56; and

Staff Attorney Rossie Harris (l) recommends a course of action to new CASA Director Francis B. Brown

Washington County, 46. The program was able to terminate its involvement with 360 children and currently serves almost 2,500 children.

The program also continued actively recruiting volunteers through public service announcements, speaking engagements, participation in volunteer fairs and other avenues. This year 75 new advocates joined the program, raising the number to 201 active volunteers monitoring the needs of dependent, neglected and abused children.

In celebration of ten years of service the CASA program is scheduling a commemorative ceremony which will be held at the State House in early 1989.

INCREASE IN CHILD SUPPORT COLLECTIONS LEADS NEW ENGLAND

Last year's increase in Family Court child support collections ranked as the highest among the New England states. Collections totalled $16,837,133 in 1988, which was an increase of $2,864,212 or 20.5% in one year. Over a five year period support collections have risen by 89%, as the following figures show.

1984	$ 8,910,343
1985	10,140,017
1986	11,957,881
1987	13,972,921
1988	16,837,133

The dramatic increase this year was partly the result of child support guidelines that were adopted by the court in October 1987. The guidelines were developed in response to a federal mandate requiring states to develop and adopt child support formulas. The guidelines are based on the concept that the child should receive the same portion of parental income that he or she would receive if the parents lived together.

Gen. Master O'Brien

In 1988 the court initiated 3,776 child support enforcement cases, and heard over 7,600 cases. These matters are handled by a court master, General Master John J. O'Brien, Jr. Master O'Brien was appointed Special Master in 1974, and in 1987 he was appointed to the newly created position of General Master. General Master O'Brien is recognized nationally for his knowledge and expertise in the area of child support enforcement.

Child support collections are handled by the court's collection unit. This year the unit has worked closely with the Department of Human Services to automate its record keeping systems. Automation will enhance the unit's ability to process cases.

The federal government supports the efforts of jurisdictions to aggressively pursue the enforcement of child support. In 1988 the government reimbursed Rhode Island for 68% of the expenses directly related to collection and enforcement. Items that qualify as direct costs include salaries, fringe benefits, telephone charges and computer costs. This resulted in the state's general fund receiving $530,427 from the federal government. In addition, the court received $117,937 from the federal government for various indirect costs that qualify for reimbursement.

FAMILY COURT TEAMWORK IMPROVES COLLECTION POTENTIAL

Clerk Clo Edwards, General Master O'Brien, and Sheriff Jack Ward

Deputy Administrator/Clerk Anthony T. Punichas and Mary A. McKenna, Fiscal Officer

Chief Deputy Clerk George J. Salome

Court Stenographer Ilene Farrell

Chief Judge
Albert E. DeRobbio

DISTRICT COURT

Administrator
Joseph P. Ippolito, Esq.

RECORD FILINGS OF 84,271 ADD TO DISTRICT COURT WORKLOAD

The District Court workload continued to expand in 1988. Filings courtwide totalled 84,271, which was an all-time record for the court. This was a 5% increase compared to 1987, and over a five year period the court's workload has grown by 20.5%. The category showing the greatest increase was misdemeanor filings. The total filed was 39,671, which was a 13.6% jump in one year. It was also the highest number of misdemeanor filings since traffic cases were transferred to the Administrative Adjudication Division in 1974.

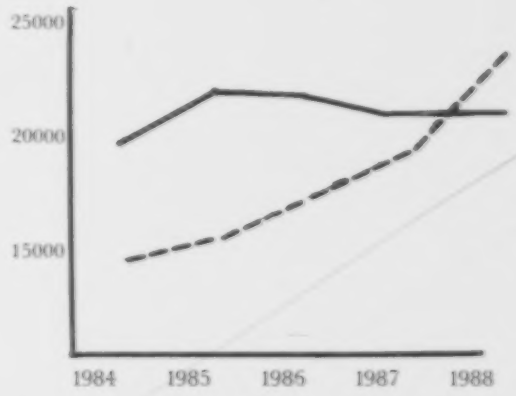
The increase in misdemeanor filings affected every division. The divisions with the smallest growth were the Seventh and Eighth. In the Eighth division, filings rose by 5.7% (245), and in the Seventh they went up by 8.5% (240). The First division had the greatest percentage growth: misdemeanor filings rose by 26% in this division; however, it was the Third division which experienced the greatest numerical increase. Compared to 1987 misdemeanor filings jumped by 1,355 in this division, and for the first time in the five year period the Third division had a larger misdemeanor caseload than the Sixth division. Third division filings totalled 8,101 for the year, while the Sixth division total was 7,507.

MISDEMEANOR AND VIOLATION FILINGS BY DIVISION

	1984	1985	1986	1987	1988
1st	1255	1196	1220	1340	1687
2nd	3656	3405	3690	3903	4527
3rd	5713	5899	6164	6746	8101
4th	4285	4798	4840	5322	5923
5th	3248	3624	3789	3737	4341
6th	5883	6693	6735	6760	7507
7th	2461	2779	2804	2813	3053
8th	3612	4042	4097	4287	4532

Two other major categories also experienced some growth this year; felonies increased by 3% and small claims, 6.5%. The number of felony charges filed was 10,422, which was 351 more than in 1987, and small claims totalled 14,963 an increase of 908.

CIVIL FILINGS vs. DISPOSITIONS
—— Filings _ _ Dispositions

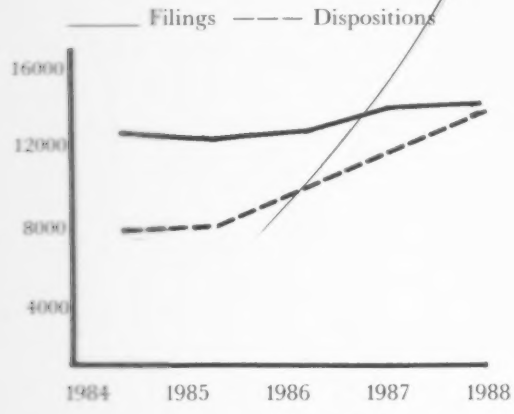


The only major category with lower filings was regular civil matters, and this was the third year in a row that civil filings declined, primarily due to the change in jurisdiction for small claims. Since 1985 filings of this type have fallen by 10%; the total filed this year was 19,215.

The other categories handled by the District Court include administrative appeals and domestic abuse complaints. Administrative appeals totalled 259 this year, which was an 18% drop from 1987; compared to 1986 administrative appeals have dropped by 50% due to a more expedited handling of these cases.

The other group of cases, domestic abuse complaints, remained at the same level as 1987. There were 533 abuse complaints filed last year, and this year there were 536.

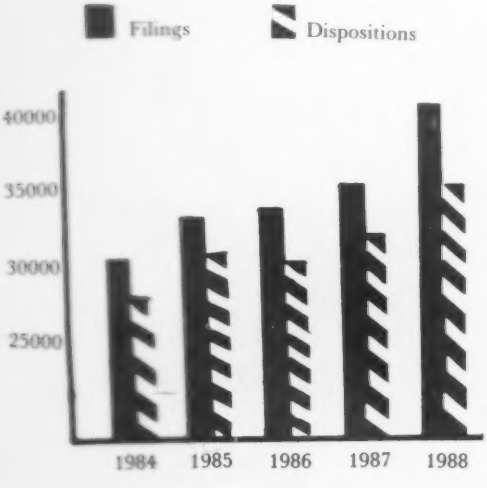
SMALL CLAIMS
FILINGS vs. DISPOSITIONS



Even with record filings, the District Court succeeded in handling the workload efficiently. On the civil side, dispositions for regular civil matters were at an all-time high and for the first time exceeded filings. The total disposed was 24,770, which was 5,555 more cases than were filed. These results were partly due to a special project in the District Court to review all civil cases over a year old and schedule any still pending for trial.

Dispositions for small claims were also at record levels. The disposition rate in this category climbed to 99.2% of filings, which was higher than at anytime in the past. Last year the rate was 88.4%, and four years ago it was 64.4%. Small claims dispositions totalled 14,851 for the year, an increase of 2,426 over dispositions in 1987.

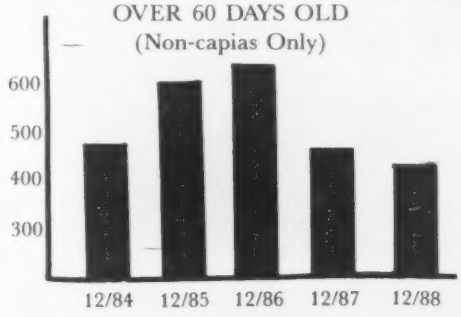
MISDEMEANORS AND VIOLATIONS
Filings vs. Dispositions



Misdemeanor dispositions also showed an increase. The number disposed, 34,918, was 10% higher than in 1987. It was also the highest number disposed in the five year period, although the disposition rate, 88%, was the lowest for the period.

The District Court also succeeded in the last three months of the year in reducing the number of misdemeanors pending more than 60 days. In September the number of misdemeanors pending over 60 days was 529, and at the end of the year it was down to 428, a reduction of 19%. In addition, this was the lowest the misdemeanor backlog has been in the five year period. Two years ago the number of misdemeanors over 60 days old was as high as 647.

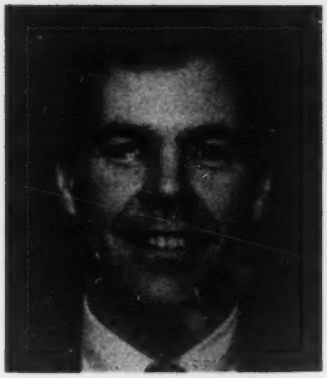
MISDEMEANORS AND VIOLATIONS
OVER 60 DAYS OLD
(Non-capias Only)



A significant portion of these older cases were in one division, the Eighth. Although the Eighth division has 11% of the misdemeanor workload, it had 40% of the cases over 60 days old at the end of the year. The particular police departments with a disproportionate number of the older cases were Cranston with 67 cases, Johnston with 40, and North Providence with 34.

WILLIAM T. HENRY AND ROGERIEE THOMPSON APPOINTED TO DISTRICT COURT

In 1988 two new District Court judges were appointed to fill the vacancies created by the retirement of Judge Orist D. Chaharyn and the appointment of Judge Vincent A. Ragosta to the Superior Court. The new appointees are the Honorable William T. Henry and the Honorable Ojetta Rogeriee Thompson.



Honorable William T. Henry

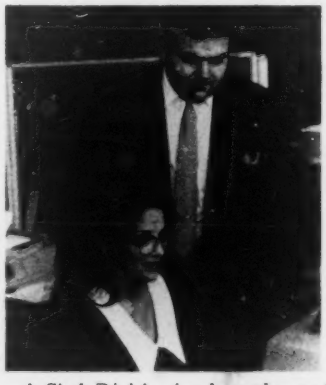
Judge Henry graduated from Holy Cross College in 1972 and received his law degree from Fordham Law School in 1976. Prior to his appointment to the bench, he was in private practice. He served as city solicitor for the City of Cranston from 1985 to 1988.

Judge Henry was a member of the legislature from 1980 to 1988. He was House Deputy Minority Leader and served on the Joint Committee on Environment, the House Committee on Labor, and the House Committee on the Judiciary. His numerous community activities include serving as a member of the Rhode Island Civil Defense Preparedness Advisory Council and as a member of the board of the Cranston Senior Multipurpose Center and the American Cancer Society.

Honorable O. Rogeriee Thompson

Judge Thompson is a 1973 graduate of Brown University and received her law degree from Boston University Law School in 1976. Judge Thompson has practiced law in Rhode Island since 1976 and is admitted to practice before the United States Court of Appeals for the First Circuit and the United States District Court for the District of Rhode Island. Prior to her appointment she served as legal counsel to Rhode Island Legal Services, and as Assistant City Solicitor for the City of Providence. In addition, she has authored a publication entitled "Landlord-Tenant Law in Rhode Island" and a series of articles entitled "You and the Law", published in the community newspaper, The Ebenezer Grapevine. Judge Thompson has also co-authored a publication entitled The Defense Lawyers Training Manual for Child Welfare Litigation.

DWI TRACKING SYSTEM CONTINUES TO PRODUCE EXCELLENT RESULTS



District Court's Sixth Division is a busy place as Clerk Kevin Spina and Data Entry Operator Sadie Hall ensure that information is accurate and up-to-date.

In December 1987 the Rhode Island Judiciary was awarded a $50,000 grant by the Governor's Office on Highway Safety to develop an automated tracking system for driving while intoxicated (DWI) cases in the District Court.

The funds provided two data entry operators for the District Court who are responsible for entering information on DWI cases into the court's criminal information system, PROMIS. They are also responsible for training other District Court personnel so that all the divisions can eventually enter and update their own cases on the system. The project began in February 1988.

The goals of the tracking system, as stated in the grant proposal, are the following:

1. To ensure that the appropriate mandated legal sanctions are imposed on individuals before the District Court on the charge of DWI.

2. To ensure the expedient handling of DWI cases.

3. To ensure the timely administration of justice during the appeal process of a DWI case.

4. To provide the Attorney General with current information on all DWI convictions.

5. To provide the Division of Motor Vehicles, Operator Control Section with current information on DWI convictions.

6. To establish a centralized data base on DWI cases to allow for further study and evaluation of the system and the offender.

INTERNS ASSIST IN CLEARING PENDING CIVIL CASES

Judicial Planner Richard Finnegan (r) supervises interns Steve Thibodeau and Dave Plante whose work is aiding in the reduction of pending civil cases.

Under the direction of Chief Judge Albert E. DeRobbio a special program has been established to dispose of civil cases pending for one year or more. Under the program the court has taken control of the calendaring of civil cases pursuant to rule 40 (a) of the District Court Civil Rules of Procedure, which allows the court to schedule for hearing all cases which have been pending for a year regardless of any action on the part of either party. The project began in the summer of 1987 in the Sixth Division with the assistance of interns from colleges and from the Rhode Island State Internship Program.

The process established by this program begins with a review of each case to determine if it is disposed. If the case remains open, the court notifies the plaintiff and the defendant, or their respective attorneys, that the case has been set for trial on a particular date. On this date, the parties meet in court and the case proceeds as if the plaintiff had brought the case to trial.

Chief Judge Albert E. DeRobbio congratulates intern Dave Plante on a job well done.

If the plaintiff or the defendant does not appear in court, the case is decided by default in favor of the other party. If neither party appears, the case is dismissed. If both parties appear, a trial is held. Extensions are very rarely granted, which has accounted for a disposition rate of approximately 95%.

It is anticipated that this program will be expanded to all the divisions of the District Court in 1989.

BAIL COMMISSIONERS' POWERS EXPANDED

During the 1988 session, the General Assembly greatly expanded the powers of bail commissioners in Rhode Island.

Under the new law, bail commissioners can accept not guilty pleas on misdemeanor charges and set pre-trial and trial dates. Prior to this, defendants who were arraigned by bail commissioners had to be rearraigned by a District Court judge, a duplication that has now been eliminated, unless the defendant pleads guilty. The law also provides that bail commissioners can set screening dates in non-capital felony cases, which again eliminates the need for defendants in such cases to make a second initial appearance before a judge of the court.

These statutory changes were implemented by Chief Judge Albert E. DeRobbio in

1988 through a series of meetings with the bail commissioners. The Chief Judge, who appoints all bail commissioners, also issued several comprehensive administrative orders and a handbook for bail commissioners designed to provide guidance on the use of the new powers.

Under one of the Chief Judge's orders, all defendants who cannot post bail set by a bail commissioner will have their bail immediately reviewed by a judge of the court. This procedure is an effort to assure that no defendant is held unnecessarily at the Intake Service Center of the ACI.

SMALL CLAIMS PROCEDURE IS REVISED

As a result of legislation passed during the 1987 session of the General Assembly, the District Court has evaluated and initiated changes in the processing of small claims.

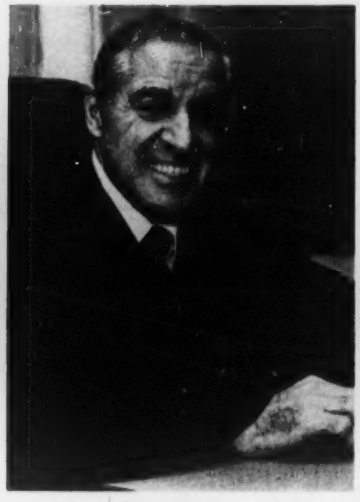
The principal innovation has been the requirement that a defendant files an answer by a specified date. If an answer is not filed, the case is defaulted automatically, and the plaintiff does not need to come to court on the trial date. This procedure is a convenience to the plaintiff, who does not have to come to court unnecessarily, while protecting the rights of the defendant. Other changes have also been made to make the procedure easier. These include the introduction of new forms for filing small claims and the publication of an instruction booklet.

Associate Judge Patricia Moore chaired a committee composed of lawyers, judges and court personnel which was responsible for the changes. This committee will be meeting in January 1989 to consider the need for "fine tuning" the process.

Chief Judge Albert E. DeRobbio asked Associate Judge Patricia Moore to chair a committee to revise a booklet describing the Small Claims Court process. Representing the eleven-member committee are (l-r): Attorney Herbert Katz, Attorney John DiSano, Deputy Clerk Cynthia Clegg, Judge DiRobbio, Judge Moore, Attorney Steve Musen.

ACKNOWLEDGEMENTS

Honorable Edward V. Healey, Jr.



Honorable Paul J. DelNero

Honorable Francis M. Kiely

Family Court Senior Associate Justice Edward V. Healey, Jr. retired July 8, 1988, after having served on the bench for over twenty-eight years. Justice Healey is a graduate of Providence College and Boston University Law School. He was appointed to the Juvenile Court in 1960 by Governor Christopher Del Sesto. With the creation of the Family Court in 1961, Justice Healey's judicial responsibilities broadened to include domestic relations matters.

In 1982 President Ronald W. Reagan appointed Justice Healey a member of the National Advisory Commission on Juvenile Justice and Delinquency Prevention. In 1985 the National Council of Juvenile and Family Court Judges honored Justice Healey with their "Meritorious Service to the Juvenile Courts of America" award. In that same year he received the Herbert Harley Award from the American Judicature Society in recognition of his service in promoting the effective administration of justice. Justice Healey presently serves as the Executive Vice President of the International Association of Youth and Family Magistrates. He is the only American on the association's executive committee.

Associate Judge Paul J. DelNero retired November 30, 1988, after thirty years of service in the state court system and almost twenty years on the bench. He is a graduate of the University of Rhode Island and Boston University Law School.

Judge DelNero was appointed Associate Judge of the District Court by Governor Frank Licht in 1969. Prior to his appointment he served as clerk of the First Division District Court under Judge Arthur Sullivan.

Judge DelNero served as Chairman of the Newport County Legal Aid Society and is past president of the Italian Forum. At the time of his retirement, he was the Chairman of the Advisory Committee of the Rhode Island Supreme Court on the Canons of Judicial Ethics. He also served on the Commission on Judicial Tenure and Discipline.

Associate Justice Francis M. Kiely retired from the Superior Court on July 15, 1988, ending an active career on the bench that began with his appointment as an Associate Judge of the District Court in 1962.

Justice Kiely received a B.S. in Foreign Service as well as his law degree from Georgetown University. He was admitted to the Rhode Island Bar in 1958 and the United States Court of Military Appeals in 1960. Justice Kiely was named to the Superior Court on May 9, 1980.

1988 COURT DIRECTORY

SUPREME COURT

THOMAS F. FAY, Chief Justice
THOMAS F. KELLEHER, Associate Justice
JOSEPH R. WEISBERGER, Associate Justice
FLORENCE K. MURRAY, Associate Justice
DONALD F. SHEA, Associate Justice

SUPERIOR COURT

ANTHONY A. GIANNINI, Presiding Justice
JOHN E. ORTON, III, Associate Justice
THOMAS H. NEEDHAM, Associate Justice
JOHN P. BOURCIER, Associate Justice
JOSEPH F. RODGERS, JR., Associate Justice
CORINNE P. GRANDE, Associate Justice
DOMINIC F. CRESTO, Associate Justice
ANTONIO S. ALMEIDA, Associate Justice
PAUL P. PEDERZANI, JR., Associate Justice
THOMAS J. CALDARONE, JR., Associate Justice
ALICE BRIDGET GIBNEY, Associate Justice
RICHARD J. ISRAEL, Associate Justice
AMERICO CAMPANELLA, Associate Justice
ROBERT D. KRAUSE, Associate Justice
MELANIE WILK FAMIGLIETTI, Associate Justice
VINCENT A. RAGOSTA, Associate Justice
JOHN F. SHEEHAN, Associate Justice
RONALD R. GAGNON, Associate Justice
HENRY GEMMA, JR., Associate Justice
MARK A. PFEIFFER, Associate Justice

FAMILY COURT

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CARMINE R. DiPETRILLO, Associate Justice
JOHN K. NAJARIAN, Associate Justice
ROBERT G. CROUCHLEY, Associate Justice
JOSEPH S. GENDRON, Associate Justice
HAIGANUSH R. BEDROSIAN, Associate Justice
JOHN E. FUYAT, JR., Associate Justice
PAMELA M. MACKTAZ, Associate Justice
RAYMOND E. SHAWCROSS, Associate Justice
MICHAEL B. FORTE, Associate Justice
JOHN J. O'BRIEN, JR., General Master

DISTRICT COURT

ALBERT E. DeROBBIO, Chief Judge
ANTHONY J. DENNIS, Associate Judge
VICTOR J. BERETTA, Associate Judge
JOHN J. CAPPELLI, Associate Judge
MICHAEL A. HIGGINS, Associate Judge
ALTON W. WILEY, Associate Judge
FRANCIS J. DARIGAN, JR., Associate Judge
ROBERT K. PIRRAGLIA, Associate Judge
ANTONIO SAOBENTO, JR., Associate Judge
PATRICIA D. MOORE, Associate Judge
WILLIAM T. HENRY, Associate Judge
O. ROGERIEE THOMPSON, Associate Judge

ANTHONY CARNEVALE, JR., Special Master

ADMINISTRATIVE PERSONNEL

SUPREME COURT

250 Benefit Street, Providence, RI

Matthew J. Smith, Administrator, State Courts/Clerk	277-3263
Ronald A. Tutalo, Administrative Asst. to Chief Justice	277-3073
Gail Higgins Fogarty General Counsel	277-3266
Brian B. Burns, Chief Deputy Clerk/Director of Bar Admissions	277-3272
Kendall F. Svengalis, State Law Librarian	277-3275
Martha Newcomb, Chief, Legal Research	277-3297
Susan R. Pelosi, Staff Attorney	277-3241
Donna Madden Law Clerks Pool	277-6536

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Joseph D. Butler, Associate Administrator, State Courts	277-3266
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James J. Roberts, Director, Office of Public Information	277-3266
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Robert E. Johnson, Assistant Administrator for Facilities and Operations	277-2600

William A. Melone, Assistant Administrator for Human Resources 277-2700
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Linda D. Bonaccorsi, Chief, Employee Relations 277-2700
Frank G. Eldredge, Jr. Manager, Judicial Revenue 277-2084
Robert H. Montecalvo EEO/Legislative Liaison 277-2600
Roger Valois Supervisor, Environmental Systems 277-3269

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1025 Fleet National Bank
Providence, RI 02903
Girard R. Visconti, Chairman 331-3800

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SUPERIOR COURT
250 Benefit Street, Providence, RI

John J. Hogan, Administrator 277-3215
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Richard J. Cedor, Clerk 277-3220
Alfred Travers, Jr. Jury Commissioner 277-3245
Evelyn A. Keene, Assistant Administrator for Human and Financial Resources 277-3215
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Bonnie L. Williamson, Manager of Calendar Services 277-3602
Thomas P. McGann, Security & Operations Manager 277-3292

KENT COUNTY
Ernest W. Reposa, Clerk 822-1311
222 Quaker Lane
West Warwick, RI 02893

Raymond D. Gallogly, Associate Jury Commissioner 822-0400
222 Quaker Lane
West Warwick, RI 02893

Thomas G. Healey, Manager of Calendar Services (out-counties) 277-6645
222 Quaker Lane
West Warwick, RI 02893

WASHINGTON COUNTY
Diane L. Seemann, Clerk 782-4121
J. Howard McGrath Judicial Complex
4800 Tower Hill Road
Wakefield, RI 02879

NEWPORT COUNTY
Glenn E. Nippert, Clerk 846-5556
Washington Square
Newport, RI 02840

FAMILY COURT
1 Dorrance Plaza, Providence, RI

Earl J. Croft, Jr., Administrator/Clerk 277-3334
Anthony T. Panichas, Deputy Administrator/Clerk 277-3331
Dolores M. Murphy, Chief Intake Supervisor (Juvenile) 277-3345
Barbara Rogers, Chief Family Counselor 277-3504
William Aliferakis, Supervising Clerk of Collections 277-3356
John Colafrancesco, Jr., Supervisory Accountant 277-3300
Mary A. McKenna, Fiscal Officer 277-6684
George J. Salome, Chief Deputy Clerk (Domestic Relations) 277-3340
Janet Diano, Principal Deputy Clerk (Juvenile) 277-3352
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KENT COUNTY
Joyce C. Dube, Supervisory Deputy Clerk 822-1600
222 Quaker Lane
West Warwick, RI 02893

NEWPORT COUNTY
Ellen F. Burdett, Supervisory Deputy Clerk 847-1158
Washington Square
Newport, RI 02840

WASHINGTON COUNTY
Richard J. Loud, Supervisory Deputy Clerk 782-4111
J. Howard McGrath Judicial Complex
4800 Tower Hill Road
Wakefield, RI 02879

DISTRICT COURT

1 Dorrance Plaza, Providence, RI 02903

Joseph P. Ippolito, Esq.
Administrator 277-6777
Patricia I. Dankievitch, Deputy
Administrator 277-6960
Jerome Smith, Chief Clerk 277-6703
Joseph Senerchia, Administrative
Clerk 277-6777

FIRST DIVISION

Cynthia C. Clegg, Supervising
Deputy Clerk/Training Officer 245-7977
516 Main Street, Warren, RI 02840

SECOND DIVISION

Mary Alice Stender, Supervising
Deputy Clerk 846-6500
Washington Square, Newport, RI 02804

THIRD DIVISION

James A. Signorelli, Chief Supervising
Deputy Clerk 822-1771
222 Quaker Lane
West Warwick, RI 02893

FOURTH DIVISION

Rosemary T. Cantley, Supervising
Deputy Clerk 782-4131
J. Howard McGrath Judicial Complex
4800 Tower Hill Road
Wakefield, RI 02879

FIFTH DIVISION

Alice Albuquerque, Supervising
Deputy Clerk 722-1024
145 Roosevelt Avenue
Pawtucket, RI 02865

SIXTH DIVISION

Kevin M. Spina, Principal
Deputy Clerk 277-6710
One Dorrance Plaza
Providence, RI 02903

SEVENTH DIVISION

Donald L. St. Pierre, Supervising
Deputy Clerk 762-2700
24 Front Street
Woonsocket, RI 02895

EIGHTH DIVISION

Raymond Ricci, Supervising
Deputy Clerk 944-5550
275 Atwood Avenue
Cranston, RI 02920

CASELOAD STATISTICS

RHODE ISLAND SUPREME COURT

APPELLATE CASEFLOW

CASE TYPES	1984	1985	1986	1987	1988
CRIMINAL					
Added	91	84	107	108	86
Disposed	107	84	71	120	99
Pending	65	60	102	92	76
CIVIL					
Added	349	283	232	215	295
Disposed	399	339	379	282	275
Pending	465	385	266	205	227
CERTIORARI					
Added	129	177	155	169	173
Disposed	112	162	172	181	167
Pending	104	117	103	92	99
OTHER					
Added	43	47	51	50	46
Disposed	47	43	49	60	41
Pending	12	15	16	4	8
ALL CASES					
Added	612	591	550	542	600
Disposed	665	628	671	643	582
Pending	646	577	487	393	410

DISPOSITION DETAIL

MANNER AND STAGE OF DISPOSITION	1984	1985	1986	1987	1988
BEFORE ARGUMENT					
Withdrawn	91	95	77	71	75
Dismissed	102	86	81	80	91
Petition Granted	8	5	3	6	8
Petition Denied	83	109	141	116	114
Other	65	5	4	10	3
TOTAL	290	300	306	283	291
AFTER ARGUMENT ON THE MOTION CALENDAR					
Withdrawn	4	*	2	0	0
Affirmed	143	107	147	134	101
Modified	*	*	0	0	0
Reversed	16	12	12	16	16
16G Affirmed	12	*	2	0	0
Other	14	16	25	22	23
TOTAL	189	135	188	172	140
AFTER ARGUMENT ON THE MERITS					
Withdrawn	4	1	2	1	2
Affirmed	102	121	129	120	93
Modified	13	15	10	6	14
Reversed	67	56	36	54	31
Other	*	*	0	*	*
TOTAL	186	193	177	181	140
TOTAL DISPOSITIONS	665	628	671	643	582
AVERAGE TIME TO DISPOSITION	14.7 mos.	13.7 mos.	13.03 mos.	11.6 mos.	8.8 mos.
MEDIAN TIME TO DISPOSITION	10.4 mos.	9.4 mos.	10.3 mos.	9.6 mos.	6.1 mos.

RHODE ISLAND SUPERIOR COURT

CRIMINAL CASEFLOW

FELONIES	1984	1985	1986	1987	1988
PROVIDENCE/BRISTOL					
Cases Filed	2,898	3,195	3,128	3,020	5,142
Cases Disposed	2,788	2,671	3,181	3,102	4,192
Caseload Increase/Decrease	+110	+524	—53	—82	+950
Total Pending Cases	1,647	2,237	1,988	1,643	2,407
Cases Over 180 Days Old	1,049	1,418	1,275	1,171	1,487
% Over 180 Days Old	(63.7%)	(63.4%)	(64.1%)	(71.3%)	(61.7%)
KENT					
Cases Filed	697	909	613	622	768
Cases Disposed	768	841	677	694	679
Caseload Increase/Decrease	—71	+68	—64	—72	+89
Total Pending Cases	273	270	201	92	210
Cases Over 180 Days Old	110	106	105	31	27
% Over 180 Days Old	(40.3%)	(39.2%)	(52.2%)	(33.7%)	(12.9%)
WASHINGTON					
Cases Filed	355	370	346	397	453
Cases Disposed	323	273	221	311	376
Caseload Increase/Decrease	+32	+97	+125	+86	+77
Total Pending Cases	80	135	160	196	196
Cases Over 180 Days Old	25	52	77	94	85
% Over 180 Days Old	(31.3%)	(38.5%)	(48.1%)	(48.0%)	(43.4%)
NEWPORT					
Cases Filed	315	306	273	239	322
Cases Disposed	425	289	297	185	241
Caseload Increase/Decrease	—110	+17	—24	+54	+81
Total Pending Cases	88	96	130	138	196
Cases Over 180 Days Old	9	18	62	96	99
% Over 180 Days Old	(10.2%)	(18.7%)	(47.6%)	(69.6%)	(50.5%)
STATEWIDE					
Cases Filed	4,265	4,780	4,360	4,278	6,685
Cases Disposed	4,304	4,074	4,376	4,292	5,488
Caseload Increase/Decrease	—39	+706	—15	—14	+1,197
Total Pending Cases	2,088	2,738	2,479	2,069	3,009
Cases Over 180 Days Old	1,193	1,594	1,519	1,392	1,698
% Over 180 Days Old	(57.1%)	(58.2%)	(61.2%)	(67.3%)	(56.4%)

RHODE ISLAND SUPERIOR COURT

MANNER OF DISPOSITION

FELONIES	1984	1985	1986	1987	1988
PROVIDENCE/BRISTOL					
Plea	2,355	2,120	2,532	2,447	3,515
Filed				72	48
Dismissal	360	436	552	482	547
Trial	73	115	97	97	74
Other				4	8
Total	2,788	2,671	3,181	3,102	4,192
KENT					
Plea	685	761	494	599	597
Filed				5	4
Dismissal	71	70	148	60	44
Trial	12	10	35	29	27
Other				1	7
Total	768	841	677	694	679
WASHINGTON					
Plea	295	242	178	276	326
Filed				2	11
Dismissal	22	26	33	29	28
Trial	6	5	10	2	8
Other				2	3
Total	323	273	221	311	376
NEWPORT					
Plea	367	231	264	151	196
Filed				2	3
Dismissal	45	49	28	22	26
Trial	13	9	5	9	16
Other				1	0
Total	425	289	297	185	241
STATEWIDE					
Plea	3,702	3,354	3,468	3,473	4,634
Filed				81	66
Dismissal	498	581	761	593	645
Trial	104	139	147	137	125
Other				8	18
Total	4,304	4,074	4,376	4,292	5,488

CRIMINAL CASEFLOW (cont.)

MISDEMEANORS	1984	1985	1986	1987	1988
PROVIDENCE/BRISTOL					
Cases Filed	538	486	767	471	866
Cases Disposed	422	407	601	508	553
Caseload Increase/Decrease	+116	+79	+166	−37	+313
Total Pending Cases	413	477	478	427	524
Cases Over 180 Days Old	214	340	209	252	152
% Cases Over 180 Days Old	(51.8%)	(71.3%)	(43.7%)	(59%)	(29%)
KENT					
Cases Filed	180	255	176	192	136
Cases Disposed	167	177	267	223	137
Caseload Increase/Decrease	+13	+78	−92	−31	−1
Total Pending Cases	78	97	57	24	22
Cases Over 180 Days Old	34	50	19	2	1
% Over 180 Days Old	(43.6%)	(51.5%)	(33.3%)	(8.3%)	(4.5%)
WASHINGTON					
Cases Filed	86	96	158	120	107
Cases Disposed	72	80	77	107	96
Caseload Increase/Decrease	+14	+16	+81	+13	+11
Total Pending Cases	17	21	87	81	51
Cases Over 180 Days Old	3	8	30	32	34
% Over 180 Days Old	(17.6%)	(38.1%)	(34.4%)	(39.5%)	(66.6%)
NEWPORT					
Cases Filed	199	93	61	83	69
Cases Disposed	415	167	82	81	92
Caseload Increase/Decrease	−216	−74	−21	+2	−23
Total Pending Cases	124	43	49	92	69
Cases Over 180 Days Old	28	4	9	31	32
% Over 180 Days Old	(22.6%)	(9.3%)	(18.3%)	(33.7%)	(46.3%)
STATEWIDE					
Cases Filed	1,003	930	1,162	866	1,178
Cases Disposed	1,076	831	1,028	919	878
Caseload Increase/Decrease	−73	+99	+134	−53	+300
Total Pending Cases	632	638	671	468	666
Cases Over 180 Days Old	279	402	267	257	219
% Over 180 Days Old	(44.1%)	(63%)	(39.7%)	(55.0%)	(32.9%)

MANNER OF DISPOSITION (cont.)

MISDEMEANORS	1984	1985	1986	1987	1988
PROVIDENCE/BRISTOL					
Plea	311	303	439	259	303
Filed				51	59
Dismissal	100	96	127	159	147
Trial	11	8	40	18	11
Other				21	33
Total	422	407	601	608	553
KENT					
Plea	112	129	187	152	93
Filed				14	8
Dismissal	11	24	20	19	15
Trial	12	2	3	3	0
Other				12	7
Total	167	177	268	223	137
WASHINGTON					
Plea	49	54	54	66	70
Filed				7	4
Dismissal	11	24	20	19	15
Trial	12	2	3	3	0
Other				12	7
Total	72	80	77	107	96
NEWPORT					
Plea	283	152	52	49	56
Filed				7	6
Dismissal	130	13	25	16	27
Trial	2	2	5	7	1
Other				2	2
Total	415	167	82	81	92
STATEWIDE					
Plea	755	638	732	526	522
Filed				79	77
Dismissal	289	178	240	218	204
Trial	32	15	61	42	29
Other				54	46
Total	1,076	831	1,028	919	878

CIVIL CASEFLOW

CIVIL ACTIONS	1984	1985	1986	1987	1988
PROVIDENCE/BRISTOL					
Total Cases Filed	5,156	5,653	5,598	5,751	6,128
Trial Calendar Summary					
Cases Added	1,895	2,196	2,056	1,883	1,857
Cases Disposed	1,846	1,653	1,665	2,014	2,113
Caseload Increase/Decrease	+49	+543	+391	—131	—256
Pending at Year End	4,687	5,222	5,605	5,464	5,196
KENT					
Total Cases Filed	969	963	1,154	1,375	1,442
Trial Calendar Summary					
Cases Added	320	364	370	446	531
Cases Disposed	455	514	530	251	249
Caseload Increase/Decrease	—135	—150	—160	+195	+282
Pending at Year End	788	678	394	589	828
WASHINGTON					
Total Cases Filed	580	555	601	672	680
Trial Calendar Summary					
Cases Added	204	199	178	162	184
Cases Disposed	346	130	86	69	90
Caseload Increase/Decrease	—142	+69	+92	+93	+94
Pending at Year End	133	193	288	381	468
NEWPORT					
Total Cases Filed	589	561	509	607	613
Trial Calendar Summary					
Cases Added	160	159	134	162	178
Cases Disposed	208	114	67	61	87
Caseload Increase/Decrease	—48	+45	+67	+101	+91
Pending at Year End	164	219	224	292	381
STATEWIDE					
Total Cases Filed	7,294	7,732	7,867	8,404	8,863
Trial Calendar Summary					
Cases Added	2,579	2,918	2,738	2,653	2,770
Cases Disposed	2,855	2,411	2,348	2,395	2,449
Caseload Increase/Decrease	—276	+507	+390	+258	+321
Pending at Year End	5,772	6,312	6,511	6,717	6,866

MANNER OF DISPOSITION — TRIAL CALENDAR ONLY

CIVIL ACTIONS	1984	1985	1986	1987	1988
PROVIDENCE/BRISTOL					
Verdicts	91	80	66	76	98
Judicial Decisions	68	65	43	61	87
Total Trials	159	145	109	137	185
Dismissed/Settled/Other	1,687	1,508	1,371	1,877	1,928
Total Disposed	1,846	1,653	1,480	2,014	2,113
KENT					
Verdicts	34	31	18	16	5
Judicial Decisions	85	140	147	40	8
Total Trials	119	171	165	56	13
Dismissed/Settled/Other	336	343	365	195	236
Total Disposed	455	514	530	251	249
WASHINGTON					
Verdicts	12	7	1	0	2
Judicial Decisions	7	8	7	0	5
Total Trials	19	15	8	0	7
Dismissed/Settled/Other	327	115	82	69	83
Total Disposed	346	130	90	69	90
NEWPORT					
Verdicts	9	7	6	2	3
Judicial Decisions	40	11	13	11	2
Total Trials	49	18	19	13	5
Dismissed/Settled/Other	159	96	48	48	82
Total Disposed	208	114	67	61	87
STATEWIDE					
Verdicts	146	125	91	94	108
Judicial Decisions	200	224	210	112	102
Total Trials	346	349	301	206	210
Dismissed/Settled/Other	2,509	2,062	1,746	2,189	2,239
Total Disposed	2,855	2,411	2,047	2,395	2,449

RHODE ISLAND FAMILY COURT

JUVENILE CASEFLOW

JUVENILE FILINGS	1984	1985	1986	1987	1988
Wayward/Delinquent	4,731	4,611	4,935	5,151	5,432
Dependency/Neglect/Abuse	636	791	666	697	739
Termination of Parental Rights	259	262	217	204	205
Other	1,080	920	969	911	987
Total Filings	6,706	6,584	6,785	6,963	7,363
Total Dispositions	5,767	6,317	6,278	6,702	6,514
Caseload Increase/Decrease	+939	+267	+507	+261	+849
JUVENILE TRIAL CALENDAR RESULTS					
Cases Added	3,107	3,377	3,393	3,447	3,673
Cases Disposed	3,032	3,352	3,336	3,425	3,541
Caseload Increase/Decrease	+75	+25	+57	+22	+132
Total Pending	390	415	472	494	542
Pending Wayward/Delinquent Cases Over 90 Days Old	40	32	75	58	70
Average Time to Disposition for Wayward/Delinquent Cases	66.3 days	73.9 days	73.7 days	77.8 days	74.1 days

DOMESTIC RELATIONS CASEFLOW

DIVORCE PETITIONS FILED	1984	1985	1986	1987	1988
Providence/Bristol	2,999	3,101	3,174	3,134	3,035
Kent	834	868	822	818	871
Newport	438	519	437	405	578
Washington	502	527	493	547	733
STATEWIDE TOTAL	4,773	5,015	4,926	4,904	5,217
CONTESTED DIVORCE CALENDAR RESULTS					
Cases Added	802	842	985	970	955
Cases Disposed	898	740	939	908	1,102
Caseload Increase/Decrease	—96	+102	+45	+62	—147
Total Pending	480	582	628	690	543
Cases Pending Over 180 Days	149	204	173	196	157
Cases Pending Over 360 Days	10	31	20	35	26
Average Time to Disposition	226.4 days	225 days	215 days	236.1 days	235.4 days
ABUSE COMPLAINTS					
Cases Filed	981	1,487	1,985	2,310	2,655

RHODE ISLAND DISTRICT COURT

CRIMINAL CASEFLOW

MISDEMEANORS	1984	1985	1986	1987	1988
Cases Filed	30,114	32,436	33,339	34,908	39,671
Cases Disposed	28,461	30,721	30,235	31,756	34,918
Caseload Increase/Decrease	+1,653	+1,715	+3,104	+3,152	+4,753
Total Pending Cases	1,934	2,390	3,001	2,545	
Cases Over 60 Days Old	480	635	647	472	428
MANNER OF DISPOSITION					
Pleas	16,006	17,311	17,205	16,957	18,470
Filed	3,494	3,874	3,774	4,932	5,218
Dismissed	6,837	7,263	7,129	8,036	8,866
Trials	623	577	547	477	542
Others	987	1,108	883	779	880
Cases Transferred	514	588	697	575	942
TOTAL	28,461	30,721	30,235	31,756	34,918
Cases Appealed	344	291	278	410	225
FELONIES					
Charges Filed	8,116	8,332	8,233	10,071	10,422
Charges Disposed	8,271	8,005	6,559	6,692	10,326
MANNER OF DISPOSITION					
Charged	4,831	4,837	4,056	4,241	6,781
Not Charged/Dismissed	3,440	3,168	2,503	2,451	3,545
TOTAL	8,271	8,005	6,559	6,692	10,326

CIVIL CASEFLOW

REGULAR CIVIL					
Cases Filed	18,759	21,396	21,116	19,899	19,215
Cases Disposed	13,688	14,273	16,770	19,030	24,770
MANNER OF DISPOSITION					
Defaults	7,754	8,274	9,020	9,283	9,448
Settlements	2,823	3,513	3,803	4,723	5,856
Judgments	3,031	2,915	3,840	5,025	5,656
Transfers	80	21	107	99	211
Other				4,971	3,599
TOTAL	13,688	14,723	16,770	24,101	24,770
Appeals	339	395	303	321	266
SMALL CLAIMS					
Cases Filed	12,087	11,997	12,654	14,055	14,963
Cases Disposed	7,791	8,038	10,491	12,425	14,851
MANNER OF DISPOSITION					
Defaults	4,531	4,962	6,383	6,602	7,321
Settlements	1,983	1,544	1,998	2,974	3,527
Judgments	1,277	1,532	2,310	3,149	4,003
TOTAL	7,791	8,038	10,491	12,425	14,851
Appeals	116	97	131	192	131